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THE

WORKS

OF THE

RIGHT REV. JOHN ENGLAND,

FIRST BISHOP OF CHARLESTON,

COLLECTED AND ARRANGED

UNDER THE ADVICE AND DIRECTION OF HIS IMMEDIATE SUCCESSOR,

THE RIGHT REV. IGNATIUS ALOYSIUS REYNOLDS,

AND PRINTED FOR HIM,

IN FIVE VOLUMES.

"Remember your Prelates, who have spoken the word of God to you."—HEB. xiii. 7.
"He shall show forth the discipline he hath learnt, and glory in the Covenant of the Lord: many shall praise his wisdom, and it shall never be forgotten."—ECCLI. xxxix. 11, 12.

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WORKS OF DR. ENGLAND.

PART II.

(CONTINUED.)

HISTORY.

INFLUENCE, POLITICAL AND MORAL, OF THE ROMAN SEE.

LETTERS CONCERNING THE ROMAN CHANCERY.

BY THE REV. RICHARD FULLER, OF BEAUFORT, SOUTH CAROLINA, AND THE RIGHT REV. JOHN ENGLAND, BISHOP OF CHARLESTON.

PREFACE.

The following correspondence will sufficiently develope its own history. The letters originally made their appearance in the *Charleston Courier*, were copied into the *United States Catholic Miscellany*, and portions of them appeared in several other papers.

Many applications were made to me soon after the termination of the correspondence, to republish the entire in one collection. These requests were made by persons of different religious denominations, the great majority not Catholics. The reasons assigned were, the general interest created by the principal question, viz. that concerning the alleged misconduct, or to speak more correctly, the imputed criminality of the Roman Chancery; the information which the discussion elicited, the doubts created as to the solidity of the basis on which very grievous imputations against the doctrine and practice of the Catholic Church rested, and the wish to possess the entire discussion in such a form as would better enable the inquirer to compare statements and examine proofs, and thus come to a satisfactory conclusion.

It was not convenient to have the publication made at the moment; but the desire for it having been repeated, and the correspondence having been noticed in Europe, decided me upon assenting to its production.

The letters, on my part, and I suppose the Rev. Mr. Fuller would say the same of his, were hastily written, without much of that research which the subject admitted and perhaps required, were sometimes as hastily printed as they were written, and are not therefore finished productions. Much of what is thus imperfectly put forward could be made more clear and strong, and the entire could be greatly, and perhaps beneficially abridged. But I did not feel myself at liberty to retouch a line or to alter an expression, without allowing to my reverend opponent a similar right. The only alterations then made were the mere correction of press errors, without any change of meaning or expression.

The discussion of the main question drew after it incidentally various topics, not originally contemplated by me, and I presume, not intended by Mr. Fuller. I did not feel warranted to omit them, though I should prefer their exclusion. If they be extraneous and improper, it is for the reader and not for the writer to decide who is accountable for their introduction.

For my own part, I would infinitely prefer publishing a much shorter, and I think a better compilation upon the original subject, to giving the correspondence as it now is put forth, but I am not warranted to interfere with what now belongs neither to the Rev. Mr. Fuller nor to me, for it has long since, whatever may be its value, become the property of the public.

† JOHN, *Bishop of Charleston.*

June 1st, 1840.

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ROMAN CHANCERY.

SALE OF LICENSES TO MURDER, ETC.

THE following article is taken from the *Charleston Courier*, of Wednesday, July 31st, 1839.

McPhersonville, July 24, 1839.

MESSRS. EDITORS:—By the closing resolution of the within, you will perceive that the editors of sundry papers are respectfully solicited to publish the proceedings now sent. As a committee appointed to attend to this matter, we take the liberty of forwarding to you the same for publication in your paper.

Respectfully yours, &c.,
EDWARD PALMER.
JOHN B. GROSS.

According to previous notice, a special meeting of the Prince William's Temperance Society was held at Hoopsa Church, on the 22d inst., to consider the expediency of petitioning the Legislature to abolish the existing license laws. After having been duly organized with prayer, by Rev. R. Fuller, the Society was, on motion of Rev. C. Davis, resolved into a popular meeting of citizens. The President, Rev. Edward Palmer, and the Secretary, Mr. John B. Gross, still retaining their seats.

In pursuance of a motion by Rev. R. Fuller, it was

Resolved, That a committee of three be appointed by the Chair, to draft a memorial to be presented to the Legislature at its next session:

Whereupon the Rev. R. Fuller, Albert Rhett, Esq., and the Rev. J. N. Davis, were appointed.

The committee having submitted their memorial, it was, after a free and full conference, unanimously adopted.

Memorial to the Hon. Members of the Senate, and House of Representatives of the State of South Carolina.

The petition of the undersigned, inhabitants of Prince William's Parish, showeth,

That your petitioners are amongst those who regard intemperance as one of the greatest evils by which the human race has ever been cursed, and who deem its suppression a high duty—demanding and deserving their most unwearied efforts. They rejoice that not only in their neighbourhood, but throughout the whole Union, the cause of temperance is asserting its solemn importance, attracting to its support the zeal and talent, experience and piety of the land, daily acquiring strength and achieving victory. Nor can your petitioners suppose any man to be a Christian, or patriot, or philanthropist, who does not feel an interest in the final triumph of such a cause.

Much, however, as may be and has been done by exertions, individual and associate, your petitioners beg leave respectfully to state to your honourable bodies, that the friends of temperance must always see their labours in a great measure frustrated, and their hopes disappointed, so long as the traffic in fiery spirits is sanctioned by the laws of the land, and the retail of this baneful fluid continued as a source of public revenue.

Your petitioners are not without apprehension that their prayer may at first encounter opposition from those who have not seriously reflected on the misery which intemperance is inflicting upon our population, bond and free—the blight it is shedding upon the dignity of our State, and the happiness of our homes. But at least the motives of your petitioners will be respected, nor will the virtue and piety of her children let die the principles on which they address you—until the time shall come, when the legislators of a Christian community will regard an enactment to license the retail of ardent spirits, with the same abhorrence which they feel toward the statute formerly passed by the Roman Chancery, making assassination and murder, and prostitution, and every crime, subjects of license and taxation, and regulating the price at which each might be committed.

Even if alcohol possessed no properties at all—yet, no wise lawgiver ought to sanction its distillation or retail. It is not needed for the support, or health, or happiness of man. It is often extracted from the substances which are required for the sustenance of life.

It consumes an immense amount of labour and wealth, and above all it exerts a magic sorcery, by which men are so enchanted, that they will barter for it their property, their honour, their families, to sanction their lives.* Now, ought any legislative body be the traders in such thing? As the guardians of the people, might we not hope—even if alcohol were innoxious, if it were clay, or sawdust—might we not hope, that you would interfere, and rescue your constituents from the fraud and villany, which seeks to profit by their infatuation, and barbarously cheat them of their substance? Do not your statute books denounce righteous penalties against swindling? But, if that crime be the "obtaining from a man, property under a false pretence,"—would not the retailer, (even on

* [There appears to be a mistake.]

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the present supposition) be a swindler? would he not be a knave, availing himself of the insanity of those around him, and *ministering to that insanity*, that he might thereby gratify his cupidity, and under pretext of traffic, palm upon monomaniacs an article of no value—but as to which they are bewitched—thus spoil them of the fruit of their labour or their heritage from their fathers?

Even then, if this liquid were only of intrinsic value, the principles which cause you to punish swindling and fraudulent transactions ought, your petitioners humbly submit, to prevent your legalizing it as a valuable consideration.

But is it necessary that your petitioners should offer any proof as to the fatal effects of ardent spirits? Is there a single member of your honourable bodies who doubts that the streams with which, by your permission, the retail shops are deluging every town and village and plantation in the State, are in fact, a most horrible scourge? Is there a court of justice, civil or criminal—is there a jail—is there an asylum for lunatics—a graveyard in the United States, which does not confirm this awful truth?

Have not your judges, your solicitors, and your jurors, again declared that almost every crime which stains our dockets is the consequence of intemperance? Do not the shattered frames, the prostrate hopes, the wasted fortunes, the ruined families, the lost souls of your friends and your neighbours, everywhere attest the ravages of this desolating foe—and loudly proclaim, that to license the sale of ardent spirits, is to license the sale of poison—the insidious dispersion of pestilence and of death?

Your petitioners are confident there is not one in your honourable bodies who can doubt these things. Why, then, ye who are the protectors of the public welfare, the censors of the public morals—why should your petitioners not hope that you will at once arrest the evil? Other States have abolished the license laws, and posterity will bless their names for their deed. May not your petitioners and constituents expect that this State, so conspicuous for virtue, will also range herself on the side of religion and humanity; and mercifully save the lives and souls of her citizens, by sealing hermetically the fountains of destruction?

Your petitioners respectfully insist that they entreat of you no infringement, no retrenchment of any man's just liberty. The privilege which the distillers claim, is that of the swindler to defraud, and the assassin to kill. Can any man pretend that he has a right to gain a livelihood by the manufacture of drunkards—the propagation of crime and pauperism? By the debasing fathers and husbands into sots, and reducing wives and children to a condition infinitely worse than that of the widow and the orphan? Nor is your power to apply effectual remedy at all doubtful. If you possess the power of granting and regulating and refusing licenses to retail ardent spirits, you, of course, possess that of abrogating them altogether. And your petitioners are confident, that such abrogation will be hailed as a blessing by all classes—except the mercenary traffickers in death, and their wretched and deluded victims.

If (which by Dr. Rush and other eminent physicians is denied) alcohol be a medicine for which there is no substitute, let it then, your petitioners pray, be confined to the stores of the authorized venders of medicines, as it first used to be. But your petitioners humbly and earnestly beseech your honourable bodies, so to alter the present license laws as to relieve the country from the burden under which it is now groaning. They entreat that you will no longer suffer our land to be swept by a plague, which is blasting all that is fair and glorious, with a mildew; preying upon the vitals of society; degrading the master into a slave, and the slave into a beast, and entailing from father to son poverty, vice, disease, disgrace, and everlasting damnation.

Your petitioners assure your honourable bodies that the public mind is roused and agitated on the subject of this address, and awaits your decision with deep solicitude.

In every parish, in every part of this state heartless and unprincipled men are now busily doing the work of fiends; sedulously plying our youth, and industriously day and night decoying and debauching our servants. And your present regulations not only provide no remedy for the evil, but aggravate it; since their only consequence is, to quicken the diligence of the destroyer—who (over and above his exorbitant gains) must extort from his victims the price of blood, the sum which the state demands for permitting him to rifle and ruin her citizens.

Your petitioners, therefore, humbly entreat that this subject may not be stifled in a committee room, but may be honoured with the attention its importance merits; that it may be discussed by that wisdom for which your bodies are distinguished. And, while your petitioners do not presume to dictate, but confide in your experience and judgment to devise such remedy as the case may demand—they respectfully pray that the present system may be so amended, as to restrict the retail of ardent spirits to the

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shops of authorized apothecaries and druggists, and to prohibit all others from selling them in any quantity less than twenty gallons.

Such laws being enacted, the pestilence, under which the land mourns, will at once be stayed; the poison-mongers will no longer be able to elude detection, the virtue and energy of your citizens will purge every district of those nurseries of vice and crime, by which they are now infested; and this little state, so dear to us all, will pursue her career onward and upward, emancipated from the most galling bondage, gathering into her lap the riches of the earth, and enjoying the smiles of God, upon her agriculture and her commerce.

And your petitioners, as in duty bound, will ever pray, &c.

On motion of Rev. J. N. Davis, it was

Resolved, That two hundred copies of the adopted memorial be immediately printed for circulation and signature.

On motion of Rev. Mr. Kirkland, it was

Resolved, That the Chair be empowered to appoint a committee to procure signatures to the petition, and that an adjourned meeting convene, at Ebenezer Church, on the second Thursday in September, to receive the report of said committee.

On motion of Rev. R. Fuller, it was

Resolved, That in the opinion of this meeting, the memorial to the Legislature is of such importance as to render it expedient for us (together with its presentation by our representatives) to secure if possible, special advòcacy of the measure contemplated by us; in furtherance of which we earnestly solicit the Hon. John B. O'Neall and Albert Rhett, Esqrs. to present our views to the Legislature at its next session, and urge the abrogation of the license laws.

On motion of Mr. Benjamin M. Palmer, it was

Resolved, That a committee be appointed to correspond with the affiliated societies of the State Temperance Society, requesting them to co-operate with us in recommending to their several districts the policy of petitioning the Legislature to grant a repeal of the existing license laws, and that a copy of the memorial adopted by this meeting accompany each letter:

Whereupon, William Ferguson Hutson, Esq. and Mr. Benjamin M. Palmer were appointed.

On motion,

Resolved, That the editors of the Charleston papers, the Temperance Advocate, in Columbia, and the Biblical Recorder, in Raleigh, N. C., be respectfully solicited to publish the proceedings of this meeting, together with the memorial, in their respective papers, and that the chairman and secretary be the committee to prepare the same for publication.

The following is from the same paper of Thursday, August 1:—

The editor of the Courier having printed in his paper of this morning, the article to which the following note refers, will oblige, by the insertion of my call upon Mr. Rhett,

His obedient, humble servant,

† JOHN, *Bishop of Charleston.*

Wednesday, July 31, 1839.

Charleston, July 31, 1839.

To Albert Rhett, Esq.

SIR:—I find by the Courier of this morning, that you were associated with two clergymen, in reporting to a meeting held at Hoopsa Church, on the 22d inst., the draft of a memorial to be presented to the Legislature at its next session. I perceive also, that you have, by a resolution of the meeting, been selected to present its views to the Legislature. I presume, therefore, that no one is better fitted to explain the statements of that memorial than you are.

That document contains the following passage:

"The motives of your petitioners will be respected, nor will the virtue and piety of their children let die the principles on which they address you—until the time shall come when the Legislature of a Christian community will regard an enactment to license the retail of ardent spirits with the same abhorrence which they feel toward the statutes, formerly passed by the Roman Chancery, making assassination and murder and prostitution, and every crime, subjects of license and taxation, and regulating the price at which each might be committed."

It would be idle affectation on my part to conceal my suspicions of the purport of this passage; yet I am very unwilling to impute to a gentleman, for whose education and talents and honour, I have great respect, the motive or the want of information which those suspicions would imply, and the more especially as I have had previous experience of the candour and honour of some of your relatives, under similar circumstances.

I therefore take the liberty of calling upon you to bring to my view, as publicly as you please, the statutes to which you refer, that if you, and the other gentlemen at that meeting, have been misinformed, an oppor-

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tunity may be given of correcting your mistakes; but if you be correct, that the whole community may unite with you in the reprobation which you so justly cast upon the Roman Chancery.

I have the honour to be, sir,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Bishop England requests, as an act of justice, that any papers which may insert the memorial, will have the goodness to insert this letter.

We would inform our distant readers, that Mr. Rhett is a young gentleman of talent and education, belonging to one of our most respectable families, and is a member of the House of Representatives of South Carolina. It is of course the more to be regretted that he should fall into any serious mistake which may be, in its results, hurtful to the feelings and injurious to the interests of a large body of his fellow-citizens. We are greatly mistaken if he will not, on the present occasion, act an honourable and manly part. His course is simple. He has but to produce the statutes, or to refer to them in a distinct manner, so that they may be found; or, if he cannot do this, avow his mistake, and have the passage expunged from the memorial.

(From the Courier of August 8, 1839.)

To the Rev. John England, Bishop of Charleston.

SIR:—Mr. Rhett not being the person who reported, (and of course, wrote) the Prince William's Memorial, neither I nor the public can consent to your involving him in any responsibility or controversy growing out of that document. That gentleman is at present in one of the neighbouring islands, and as he will not return before the mail closes, I feel it due to you, and the public and myself, to take some notice of your communication in the Courier.

Permit me to assure you, in the outset, that the committee had no design to reflect upon the present regulations or polity of the Roman Catholic Church. Whatever these may be, and whatever our settled convictions concerning them, the address to the legislature would have been an improper vehicle for strictures on a religious sect. Let any candid man read the memorial, and he will see that the acts of the Roman Chancery are referred to, as "formerly" enacted. There is even an impression left on the mind of a reader, that the abuses no longer exist; and really, sir, in comparing the legislature of South Carolina at this day, to that of Rome, in the corruptest age of her history, it was scarcely supposable that even your sensitiveness could find itself wounded.

But you deny the existence of the abuses at any time. Is it possible? Do you seriously demand public proof before an educated community, of the fact, that the Church of Rome did formerly sell indulgences for money, and that these indulgences did profess to absolve men from the consequences of sin? And that there was printed at Rome in 1514, then at Cologne in 1515, then at Paris in 1520, and other places, the "*Tax-book of the Roman Chancery,*" entitled, "*Regulæ, Constitutiones, Reservationes Cancellariæ S. Domini nostri Leonis Papæ decimi,*" &c., containing the sums to be paid for absolution from the crime of murder, parricide, and incest, and all other enormities? Do you mean to deny these things? If you do, upon yourself must rest the blame of causing the proof to be spread before the public. Wishful, however, to be spared so painful a duty, I shall, at present, withhold the quotations I had prepared, and await your pleasure.

Permit me, sir, respectfully to ask, if it would not be better for you to unite your great influence and abilities with the efforts of pious men, for the suppression of a crying evil in the land, and not divert the public mind from the humane enterprise contemplated in the memorial, by zealous, but vain attempts, to deny what all history confirms, or palliate what all reason and religion must for ever condemn?

I am, sir, your most obedient,
humble servant,
RICHARD FULLER.

Beaufort, S. C., August 5, 1839.

To the Rev. Richard Fuller, Beaufort.

SIR:—For the reasons stated in my note to Mr. Rhett, I applied to him. In your note of the 5th instant, you give a reason for exonerating that gentleman, and showing that the application ought to have been made to you.

I denied not the existence of abuses, neither did I assert it: but I stated that I had suspicions of the purport of a particular passage which I quoted from the memorial; and I asked an explanation of its meaning, in order to ascertain whether those suspicions were well founded. My suspicions were, that the memorial intended to convey the impression, that by virtue of certain sta-

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tutes of the Roman Chancery, Roman Catholics could purchase licenses to commit the crimes which were there enumerated, by paying, according to the statute, the prices at which each could be committed. I suspected that, if such was the intention of the memorial, its object was to cast obloquy upon the Roman Catholic religion, and of course upon its professors. I considered that, if Mr. Rhett was under the impression that the Roman Catholic religion did sanction such a process, it was for want of information.

You now inform me, that the committee had no design to reflect upon the present regulations or polity of the Roman Catholic Church. I am thus, I presume, assured by you, that even if such statutes as the memorial refers to did exist, they are no part of the Roman Catholic religion; for that religion we hold now as to doctrine, as it was held at all times.

You next refer to indulgences. It is, I apprehend, quite a different topic from that alluded to in the memorial; because the memorial refers to statutes giving a license to commit sin, upon the payment of a certain tax. An indulgence is not a license to commit sin, either with or without payment of a tax.

You will, therefore, not expect that I should open new ground, by entering upon a topic not alluded to by the passage which I selected from the memorial.

You ask, whether I deny that money was to be paid, according to a book which you say was printed in Rome in 1514, then at Cologne in 1515, at Paris in 1520, &c., for absolution from the crime of murder, parricide, incest, and other enormities. Suppose I did see such a book, and it was what you describe, it would not sustain the truth of the charge in the memorial; for it would only prove that a penalty was inflicted upon the delinquent after the commission of the crime, not that a license was previously granted. Should the legislature, in accordance with your memorial, inflict a fine upon the retailer of ardent spirits, whilst it forbade such retail, and refused to grant previous license, it would be rather a strange assertion to say that it did grant the license, because it inflicted the fine.

Now, sir, I do not know of any book now, or at any previous period, which fixes any price for absolution from any sin, according to the doctrine of the Roman Catholic Church.

I beg now to remind you of the precise question to which I conceive we are confined. "Is there any statute of the Roman Chancery, making assassination and murder, and prostitution, and every other crime subjects of *license and taxation*, and regulating the *prices at which each may be committed?*"

I beg to assure you, that in the Roman Catholic Church an indulgence is not a license to commit sin, neither is it the mode of regulating the price at which a sin may be committed, nor is it absolution from a sin already committed. Thus it is not what your memorial describes, and it will be full time for that subject to be taken up, if at all, after clearing the question of the "license to commit sin for money, by virtue of a statute of the Roman Chancery."

I do not touch upon the other topics of your note, as I wish to keep closely and exclusively to the question at issue.

I have the honour to be, reverend sir,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, August 8, 1839.

(From the Courier of August 17, 1839.)

To the Rev. John England, Bishop of Charleston.

SIR:—The point upon which we have joined issue is this: Was there ever a tariff enacted by the Roman Chancery,* affixing to crimes the sums at which each might be committed? And I submit to your candour, that it is perfectly relevant to this question, to show that indulgences were sold for money, and that they did profess to absolve from the consequences of sin. If these can be proved, it follows of course, that the vender had a rate of assessment, since no merchant exposes wares to sale without fixing their prices.

I shall, therefore, first establish these facts, and then introduce testimony, more conclusive, out of the Tax-book itself. It may, indeed, appear superfluous to occupy any time with the former sort of evidence, when I possess the latter—but it is not so. All must see that your only refuge will be to dispute the authenticity of the Tax-book as well as you can. It is, therefore, important to satisfy the public, first of all, that *some* tariff must have existed.

First, then, did the Roman Chancery

* By Roman Chancery, I mean the Roman Court of which the Pope was supreme head. It is of this the memorial speaks. You may attempt to say, this is not "*the Church.*" But what is "*the Church?*" You know that although "the Church" claims infallibility, you cannot say what "the Church" is. Popes have decided against Popes, and Councils against Councils, and both against Scripture.—(*See Faber's Diff. of Rom.* ch. 2.)

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ever authorize the public sale of indulgences for money, and did these indulgences profess to remit the penalties of sin? This is the first question. It is a question of fact, and I beg that you will not perplex it by any distinction between a license and a tax. The books show that indulgences were often prospective—but it would be the same if they were always retrospective, and, in the present inquiry, you certainly must see that your argument is sophistical, and your illustration by a supposed act of the legislature without any analogy. If you wished to make a comparison, you ought to have supposed the case of a governor's sending emissaries through the state to sell pardons for money. In such a case, where would be the moral difference between his proclaiming "that a crime might be committed for a certain sum," and his publishing "that if a crime be perpetrated, the penalty should be remitted for the same sum?" The allegation is not that the Roman Chancery imposed a fine upon transgressors, but that, in order to raise funds, it absolved men from the punishment which God and justice annex to guilt—provided they paid the price demanded.

This is the charge alleged, and the testimony to maintain it is so accumulated, that the only difficulty is in selecting. Let us turn, first, to those preachers who were well acquainted with your Church, and of those I take only one—I mean Saurin. The name of this man is honoured over the world. He was certainly the most eloquent and learned divine Europe ever produced. He knew the practices and doctrine of the Roman Church perfectly, and he preached in the face of that Church, at a time when it exulted in power, and when you cannot allege that he would have uttered an unfounded calumny. Hear him:

"Rome, what a fair opportunity have I now to confound thee! Am I not able to produce in the sight of the whole world full proof of thy shame and infamy? Does not a part of thy revenues proceed from a tax on prostitution? Are not prostitutes of both sexes thy nursing fathers and nursing mothers? Is not the Holy See, in part, supported, to use the language of Scripture, by 'the hire of a harlot and the price of a dog?' "—(*Ser. sur la Pen. de la Pech.*)

"Do you seriously think that the divines of the Church of Rome, when they dispute with us, for example, on the doctrines of indulgences and purgatory, do you really think they require proofs and arguments of us? Not they. The more clearly we reason against them, the more furiously are they irritated against us. I think I see them calculating the profits of their doctrines to themselves, consulting that scandalous book, in which the price of every crime is rated—so much for murder, so much for assassination, so much for incest; and finding on each part of the inexhaustible revenue of the sins of mankind, arguments to establish their belief." (*Ser. sur la Suff. de. la Rev.*) In a note to this passage, the editor says "Mr. Saurin means the Tax-book of the Roman Chancery, which we have mentioned in the preface to the 1st vol. p. 7. This scandalous book was first printed at Rome in 1514, then at Cologne in 1515, at Paris in 1520, and at other places since. It is entitled, *Regulæ, Constitutiones, Reservationes Cancellariæ S. Domini nostri Leonis Papæ decimi*," &c.

There we meet with such articles as these:

"Absolution for killing one's father or mother, 1 ducat, 5 carlins.

"Ditto, for all acts of lewdness committed by a clerk, with a dispensation to be capable of taking orders and to hold ecclesiastical benefits, &c. 36 tourn, 3 ducats.

"Ditto for one who shall keep a concubine, with a dispensation to take orders, &c. 21 tourn, 5 ducats, 9 carlins. As if this traffic were not scandalous enough of itself, it is added, *Et nota diligenter, &c.* Take notice particularly, that such graces and dispensations are not granted to the poor: for, not having wherewith to pay, they cannot be comforted." (*Saur. Ser. by Robins.* vol. 1st, p. 219.)

What will you say to that, sir? I leave you to answer, and appeal in the next place to history, and quote from Mosheim. I select him because he is acknowledged, by Christian and philosopher, as a most erudite and impartial recorder of facts. He was on the spot, at the head of the University of Gottingen, in 1740, and his work is a standard. Hear him!

"This universal reign of ignorance and superstition was dexterously, yet basely improved by the rulers of the Church, to fill their coffers and to drain the purses of the deluded multitude. Ay, indeed, all the various ranks and orders of the clergy, had each their peculiar method of fleecing the people. The bishops, when they wanted money for their private pleasures, or for the exigencies of the Church, granted to their flock the power of purchasing the remission of the penalties imposed upon transgressors, by a sum of money which was to be applied to certain religious purposes, or in other words, they published indulgences, which became an inexhaustible source of opulence to the Episcopal order, and enabled them, as it is well known, to form and execute the most difficult schemes for the

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enlargement of their authority, and to erect a multitude of sacred edifices, which augmented considerably the external pomp and splendour of the Church. When the Roman Pontiffs cast an eye upon the immense treasures that the inferior rulers of the Church were accumulating by the sale of indulgences, they thought proper to limit the power of the bishops in remitting the penalties imposed upon the transgressors, and assumed, almost entirely, this profitable traffic to themselves. In consequence of this new measure, the Court of Rome became the general magazine of indulgences: and the Pontiffs, when either the wants of the Church, the emptiness of their coffers, or the demon of avarice, prompted them to look out for new subsidies, published not only a universal, but also a complete, or what they called a plenary remission of the temporal pains and penalties, which the Church had annexed to certain transgressions. They went still farther, and not only remitted the penalties which the civil and ecclesiastical laws had enacted against transgressors, but audaciously usurped the authority which belongs to God alone, and impiously pretended to abolish even the punishments which are reserved in a future state for the workers of iniquity; a step this, which the bishops with all their avarice and presumption had never once ventured to take." (*Mosh.* vol. 3, pp. 83, 84, 85.)

The limits prescribed to this letter, compel me to sacrifice quotations from other historians. In Robertson's Charles V. (p. 126,) we have the form of indulgences. You would have us believe they are nothing. But you will not be offended at my preferring the authority of the Holy See to yours. Who would have bought—had absolution been the nullity to which you would explain it? No, sir, Tetzel—the Pope's legate to sell indulgences, and who for his fidelity was made apostolic commissary and inquisitor—(See Encyl. American. Art. Tetzel)—described more truly the holy merchandize. "If any man," said he, "purchase letters of indulgence, his soul may rest secure as to salvation," &c. (See Robertson's Ch. V. p. 126.) The indulgence itself absolved from all punishment, so that the purchaser was declared to be "restored to the innocence he had at baptism, and when he died, the gates of punishment should be shut, and the gates of paradise opened." (Robertson's Ch. V. 126, where the whole is given.) In the Encyclopædia of Religious Knowledge, —and in Buck's Theological Dictionary, the form of an indulgence is also correctly given. In Waddington, we have Beausobre's translation of the indulgence which was "the authorized production of the Church;" and the historian well says, "in spite of some ambiguity, it is a permission to sin for life, and was assuredly so received." (Wadd. Hist. p. 541.) Such was the traffic in Luther's time, that Erasmus (a Roman Catholic) says "purgatory was nearly empty." (Op. Eras. Tom. v. c. 359.) Giesseler, in his Text-book, cites Roman Catholic authors, who admit readily the traffic, ("indulgences, pardons, Dieu et le Diable ils mettent, tout en usage,") and complains of the hardships on the poor, ("Les riches auroient donc plus de facilite pour le salut,") &c. (Giesseler, v. 2, p. 357.) M. Burigni, (Roman Catholic,) in his Life of Erasmus, speaks freely of the scandalous trade. In short, I need not multiply authorities, for Jortin well remarks, that "all the Popish writers give up the point, and confess the shameful traffic." (Jort. Life of Eras. v. 1, p. 107.)

I consider, therefore, my positions as incontestable. The Roman Chancery did publish the sale of indulgences for money, and did amass vast sums by the business; and whatever you may say about "*the church*," Leo X. declared that he had undoubted right "to sell indulgences, and that they ought to be received with implicit confidence *according to the decisions of the church, and on pain of excommunication.*" (Scott's Con. of Milner, where his reply to the Protestants is cited.) And now, if the established tariff had never been published, I insist that every man would be satisfied that it must have secretly existed. I repeat that no one opens a store without fixing the prices of his commodities.

So unblushing, however, was the Roman Court, that it did actually publish the rates by which itself and its agents were to be governed. I have already referred to Saurin and his editor. Robertson says "this traffic was so far from shocking mankind, that it soon became general, and, in order to prevent any imposition in carrying it on, the officers of the Roman Chancery published a book containing the precise sum to be paid for the pardon of every particular sin." (Robert. Ch. V. 136.) In the Encycl. of Rel. Knowledge, and in Buck's Theol. Dict. (Art. Indulgence) we have extracts from this tariff. Brunet, in his catalogue of works contained in European libraries, (a Bruxelles, 1821,) notices the work as "*Taxe de la Chancellerie Romaine ou Banque du Pape*, Printed at Lyons, 1564—Reprinted 1744,") and in Bayle, the publication and contents of the pamphlet are fully discussed. To dispute Bayle's correct and profound erudition, you will not venture, and remember

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he was no Protestant. He was for years a Catholic, and never certainly favoured the Reformation. What then does Bayle say? I will translate a few passages from the Art. Pinet (B.)

"He (Pinet) wrote notes to the French translation of the Tax-book of the Roman Chancery. The title of that book is the Contingent Revenue (Taxes de Parties Casuelles) of the Papal Storehouse, digested by Pope John XXII., and published by Pope Leo X., containing the prices of absolution *for cash*, (argent comptant,) from assassination, parricide, adultery, incest, &c., &c."

Bayle then finds fault with Pinet's notes, as being harsh against the Roman Church. He proves, that this edition of the Pamphlet differed *as to the sort of money named*, from another edition of it, cited by d'Aubigne who quotes the "Book of Taxes, where a good Catholic finds cheap bargains for his sins, (voit les péches à bon marché) and may know, at a glance, for how much he may be absolved. For incest with one's mother or sister, five gros. For murdering a father or mother, one ducat and five carlins, &c." In this last writer's work, it is said that the first edition was that of Paris in 1520. Bayle shows that this is incorrect, that there was published an edition at Rome 1514, and one at Cologne, in 1515. Our author then expresses his astonishment that the Catholics continued to publish the book (il ait été reimprimé authentiquement) even after the Protestants had upbraided them with it. He quotes a letter of Drelincourt (a Roman priest) to the Bishop of Belley, in which he informs the bishop "that the book brought great scandal on the church, and that he himself had seen three editions—one of Rome, 1520, which the Catholics themselves cited (souvent citée par les notres), another of 1545, and a third in 1625, printed by the authorized Roman Catholic press," (par celui-le même qui imprime vos livres.) He states that he has, himself, the edition printed in Rome, 1520, and calls the bishop's especial attention to one passage in the work, in which it is particularly noted that those who had not the money to pay should be denied indulgence, ("et nota diligenter, quod hujusmodi gratiæ et dispensationes non conceduntur pauperibus, quia *non sunt*—i. e. *they have no money!!*—ideo non possunt consolari.")

Under the Art. "Banck," Bayle has more on the same subject. He informs us "that Banck was a distinguished Swede—that he spent some time in Rome, and returned with great honour to his own country, and died in 1662. He procured in Rome an edition of the famous Tax-book of the Roman Chancery and published it. He not only examined the most ancient copies in print and manuscript, and compared them word for word (mot à mot)—and also the edition of Cologne in 1523, and that of Wittenburg in 1538, and of Venice in 1584—but he read also a manuscript copy shown him by Sibon, a monk of St. Bernard and lecturer in the college of Rome." Bayle remarks, that in the preface to Banck's edition, it is observed that the authors of the Tax-book finding it getting abroad endeavoured to stifle it, (nascentem suffocare conati sunt ipsi auctores,) and inserted it in 1570, in the index of prohibited books. He (Bayle) has not, he says, this index, but he has the index of 1667, in which the work is not repudiated, but only prohibited *on the ground that the Protestants had corrupted it*. But he adds: "Suppose the Protestants have vitiated it, the editions of Rome, 1514, that of Cologne, 1515, those of Paris, 1520, 1545 and 1625, and that of Venice and one in the 6th vol. of the '*Oceanus Juris*,' in 1533, and also in xv. vol. of the same collection in 1584—these editions cannot be disavowed, and are more than enough to justify the reproaches of the Protestants, and cover the Roman Church with confusion (ces editions, dis je, sout plus que suffisantes à justifier les reproches des Protestants, et à couvrir de confusion l'eglise Romaine).

I think now, sir, that the Prince William's Committee have fully made out their case, and I dismiss the subject. I repeat my assurance that they had no design to attack the Church of Rome, for many of the members of which I have great personal esteem.

I have the honour to be, reverend Sir,
Your obedient servant,
RICHARD FULLER.

Beaufort, S. C., Aug. 13, 1839.

N. B. The Mercury and other papers, which published Bishop England's letter to me, will, it is requested as an act of justice, give this a place.

(From the Courier of August 19, 1839.)

Charleston, August 17, 1839.

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—I have just perused your letter of the 13th, addressed to me, in the Courier of this morning, and I hasten to reply.

Allow me, once for all, to assure you, that if in the examination of this question, any expression should escape me, that may appear to undervalue your knowledge, or to

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question your sincerity or honourable feelings, such is not my intention. I deem you to have been led to make your assertion by what you considered, and what a number of other gentlemen consider to be evidence. Nor am I astonished at this; for, to the ordinary reader, the mass of testimony appears to be respectable and abundant. You say that the limits prescribed in your letter compel you to sacrifice quotations. Of that I can have no doubt, for I could myself furnish you with ten times the number that you have adduced, and several of them in stronger terms: but you have in your letter all that I believe to be worthy of examination, and though you might add to the array, you could not increase the force.

You begin by stating the question, "Was there ever a tariff enacted by the Roman Chancery, affixing to crimes the sums at which each might be committed?" If I shall endeavour to keep you to the exact terms of the original charge of phraseology, you must, sir, as a well-informed lawyer, be aware of the necessity in a case of this description, not for the purpose of evading the question, but in order to prevent its evasion: because the change of a word may change the question. Your words in the memorial were, "the statute formerly passed by the Roman Chancery, making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, regulating the price at which each might be committed." You observe, then, sir, that you have in your statement altogether omitted the assertion that the Roman Chancery made the *specified crimes* subjects of *license* and taxation. I do not insinuate that you intended to change the question, but I remark upon the change. Again, in a note you adduce a quotation from Faber's Difficulties of Romanism, by which you would appear to substitute "Roman Court" for "Roman *Chancery*." Now, this I cannot allow, because the Roman Court has a number of tribunals, and the charge was specifically and directly made against one of them, the "Chancery"—and this charge should be disposed of in the manner in which it was made. You will discover in the sequel that this precision will be exceedingly useful to solve the whole question.

Farther on in your letter, you remark upon a passage in mine to you as follows:

"The allegation is not that the Roman Chancery imposed a fine upon transgressors, but that in order to raise funds, it absolved man from the punishment which God and justice annexed to guilt, provided they paid the price demanded." You add, "this is the charge alleged."

I beg leave to remark that I did not state the allegation to be as above made. I put only an hypothesis, "Suppose I did see such a book, and that it was what you describe: it would not sustain the truth of the charge in the memorial: for it would only prove that a penalty was inflicted upon the delinquent after the commission of the crime, not that a license was previously granted."

Nor is the allegation as you make it, "that men are absolved from punishment," but that a statute was formerly passed by the Roman Chancery, making the specified crimes subjects of license and taxation, and regulating the price at which each could be committed. This, sir, is the allegation, and to this, for the present, we must be confined.

You next come to Indulgences, and you appeal to my candour to admit that "it is perfectly relevant to this question to show that indulgences were sold for money, and that they did profess to absolve from the consequences of sin." I cannot, in truth, admit it; and, therefore, will not at present enter upon the subject. I consequently leave untouched all that you adduce upon that topic.

You next say that you will introduce "testimony more conclusive out of the Tax-book itself," and you add that "it may appear superfluous to occupy any time with the former sort of evidence (indulgences) when you possess the latter"—I suppose the Tax-book. You say "but it is not so." I beg leave to differ from you, for I consider the whole case would be concluded by the production of the "Statute of the Roman Chancery," as previously described—and of the tax-list authorized by that statute, and showing in the terms of the statute, that a person, by paying the price or tax, was licensed to commit the crime. And I consider that no testimony which fails to establish this, will sustain your charge.

You then assume that my only refuge will be to dispute the authenticity of the Tax-book as well as I can: and that "all must see this." Now, sir, I not only do not dispute the authenticity of the Tax-book of the Roman Chancery, but I admit it—and I could not do otherwise without crime, for I have seen it, and I have now lying on my table a volume regulating the practice of that tribunal. But I do deny that the statute of which you wrote in the memorial, ever was enacted; and I deny that any authentic copy of the Tax-book ever contained one of those items at which you have been so

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justly shocked, and which you so justly condemn.

That you have not a copy either of the statute or the Tax-book, I believe. If you had, you ought to have produced it, and only two questions could have arisen, viz.: "Is the copy correct?" "Does it sustain the charge?" This, sir, would be primary evidence and conclusive. Reading your second paragraph, one would be led to suppose you had the work, for you state, "I shall * * * then introduce testimony more conclusive out of the Tax-book itself." I have looked in vain through your letter for the fulfilment of this promise. I have found no quotation from it by you: but I have found quotations made by you from several authors, not from the Tax-book, but from their works,—neither you nor they quoted any statute.

So far, then, as regards strict and primary evidence of the enactment of a statute by the Roman Chancery for the purpose stated in the memorial, you as yet have no pretence to any.

I admit it, however, to be a good rule, that when primary evidence cannot be had, secondary ought to be fairly admitted. You have adduced nine witnesses to effect your object by this process. I shall take them in the order which they hold in your letter.

The first is Saurin; and for what purpose do you produce him: "So unblushing, however, was the Roman *court*, that it did actually publish the rates by which itself and its agents were to be governed." Suppose Saurin to have proved that the Roman *court* did publish a rate by which itself and its agents were to be governed in the sale of *indulgences;* this will not prove that the Roman *Chancery* passed a statute by which the specified crimes were made the subjects of license. Next, Saurin gives no proof, he but declaims. His editor refers to the Tax-book, just as you do, and without any better grounds. Now, sir, I have no objection to your holding a Saurin and his editor in as high esteem as you please; but as they only give common fame of a party, and not evidence of any facts, I shall treat them as reporters of reports. You ought to have known that if "the name of this man is honoured all over the world"—there were many in that world who did not honour him as much as you appear to do, and they were members of the Calvinistic body. Neither he nor his editor prove, then, either the existence of the statute, or the existence of the license, or the existence of the tax concerning which they disclaim.

Your next witness is Doctor Robertson. The Doctor is a great name, and your quotation from him is exact, so far as it goes—but it does not prove your case. The Doctor alleges the existence of the Tax-book, but he gives his authorities, viz., Bayle and the edition of the Tax-book—Frankfort, 1651. Thus his testimony goes no farther than his authority—and is worth no more. Then we shall have Bayle and the Frankfort book before us; the Doctor is no witness in addition. Robertson does not sustain the allegation that the Roman Chancery passed a statute making these crimes the subjects of *license* and taxation, and regulating the price at which each might be committed; the words preceding the quotation which you made, are the following:

"The scandal of these crimes was greatly increased by the facility with which such as committed them obtained pardon. In all the European kingdoms, the impotence of the civil magistrate under forms of government extremely irregular and turbulent, made it necessary to relax the rigour of justice, and upon payment of a certain fine or composition prescribed by law, judges were accustomed to remit farther punishment, even of the most atrocious crimes. The Court of Rome, always attentive to the means of augmenting its revenues, imitated this practice, and by a preposterous accommodation of it to religious concerns, granted its pardons to such transgressors as gave a sum of money to purchase them. As the idea of a composition for crime was then familiar, this strange traffic was so far from shocking mankind," &c.

Thus his view of it was not that it was a previous license, but that it was a fine inflicted upon the offender in lieu of a heavier punishment for a crime already committed. But whatever may be his view, his testimony only establishes at the most, that Bayle asserted that there was such a Tax-book, and that there was an edition published at Frankfort in 1651.

Your third witness is the Encyclopædia of Religious Knowledge, and your fourth is Buck's Theological Dictionary, which both give extracts from the tariff. I could give you twenty others that do the same, but this is no evidence, for neither of them states that the book was seen by a good witness, nor that the extract is correct. Your fifth witness is Brunet, who, in his catalogue of works contained in the European libraries, notices the work as "*Taxe de la chancellerie Romaine, ou Boutique du Pape*, printed at Lyons, 1564, and reprinted 1744." I admit the existence of this book, and that it was printed at Lyons in 1564, and that it contains several of the items which you so justly condemn. It is the work of Pinet,

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and I believe the original forgery. This, however, is only my opinion, and that of many critics, much more respectable than I can pretend to be. I shall reserve my reasons for this opinion, until I shall have gone through the enumeration of the others. Thus Brunet is only a witness of what I admit to be the fact, viz., that an edition of the Tax-book of the Roman Chancery was published at Lyons in 1564. It is quite another question whether this is a correct statement of the taxes; my allegation is, that it is not.

Your sixth witness is Bayle. You assume more than I am disposed to grant when you assert—"To dispute Bayle's correct and profound erudition you will not venture." If, by this, you intend to assume, that I must yield to his authority, you are under a mistake; for whilst I admit his erudition, I believe that few writers have been more inaccurate in their statements, or have drawn conclusions more unfounded than did this erudite man. You tell me to "remember he was no Protestant." Sir, I cannot remember that which contradicts all that I have learned on the subject. His biographers inform me, (Feller, &c.) that he was born at Carlet in the county of Froix in 1647, and until the age of 19, was educated by his father, who brought him up in all the tenets of Calvinism. That he then went to a Calvinistic academy at Puylaurens! That there, after some reading and conversation with the parish priest, he became a Roman Catholic: that after a year and five months he returned to Calvinism—and by means of laws of persecution against relapsed Calvinists, he became an exile:—went to Switzerland, subsequently to Rotterdam: always professing to be a Protestant, though it was well known that he became an infidel, who sought to undermine the foundations of the Christian religion:—that, as the Catholic Church was one of its largest divisions, he was most constant in his efforts to bring it into contempt. The minister Jurieu denounced him for his errors, to the Walloon (Protestant) Church, and Bayle promised the Consistory to correct the religious errors of his Dictionary. It is too much then to ask me to "remember he was no Protestant." And I am really at a loss to know the number of years that he was a Catholic, unless you will please to allow me the use of fractions, and I shall then give you one and five-twelfths. Bayle's testimony shall be examined.

Your seventh witness is D'Aubigné. He quotes the book of Taxes,—so did hundreds of others: but from what was the quotation made? Between himself and his note-maker, we are told of a Paris edition of 1570, by Toussaint Denis. Another note-maker, in Bayle, states that this must be a typographical error, and that it ought to have been probably 1520. The object of this correction will be manifest when we read that this was the Latin from which Pinet made the translation, printed at Lyons, in 1564. It would be very awkward to have a translation printed six years before the original appeared,—and to heal the oversight of D'Aubigné, or his note-maker, the kindness of the second note-maker took the liberty of suggesting a change of fifty years, and throwing the blame on the printers. But it was not unusual with D'Aubigné himself to make greater blunders,—for he was a man who wrote according to the testimony of the author of the *Trois Siecles*, "avec beaucoup de liberté, d'enthousiasme et de negligence." "With great liberty, great enthusiasm, and great negligence." His *Confession de Sancy*, from the notes on which (101, edit. 1699,) the reference to the Tax-book is made, was a bitter satire in which he made Henry the Fourth play the part of Mercury. D'Aubigné spent his early days in the army, in the court, in civil and military charges, and for his unbending disposition to Henry of Navarre, he fell into disgrace, and took refuge in Geneva, where he gave vent to his feelings in many passages of works which he hastily and carelessly composed. D'Aubigné does not, according to yourselves, call it "a license," but a "price of absolution"—"for how much he may be absolved." Neither does he testify that he saw a copy of the Statute nor the tax list, but he refers to it as in existence. Thus he is not a witness to more than he asserts, and he does not assert what the memorial has charged. The value of what he does state, I shall exhibit in its proper place.

Your eighth witness is Drelincourt. And here sir, you have made (what I am sure was unintentional) a double mistake. You tell us that he was an Italian and a Catholic clergyman—"a Roman priest." I assure you, sir, he was neither the one nor the other. He was a Frenchman, born in Sedan, in the Department of Ardennes, in the year 1595. He was minister of the Protestant Church, at Charenton, near Paris, and died in Paris in 1669. He wrote pretty furiously against the Catholics, especially against the Jesuits. He stated that he saw three editions of the Tax-book, all of Paris. You mistake when you write "one of Rome in 1520." He said it was of Paris and that he had it himself. He says the others were 1545, and 1625—and he gives the passage

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that you quote as one in which they particularly agree.

You assert that he says the Catholics quoted that of Rome 1520. You were led into the mistake by imagining that he was an Italian Catholic clergyman, and thus you mistook "*souvent citée par les nôtres*," to mean Catholics, when it really means Protestants. How was it possible for you then to call the "*les nôtres*," Catholics when you had the "*celui le même qui imprime vos livres*," Roman Catholic press? Your mistakes, however, do not affect the question, which is—Has Drelincourt proved the existence of the statute of the Roman Chancery as described in the memorial of Prince William's Parish? I apprehend that he has proved nothing. I admit that before he was born there were fabricated editions of the work, that they were quoted by Protestants. He only asserts that he saw three copies purporting to have been editions of certain years, and he assumes, without proof, that Rome is accountable for them.

Your ninth witness is Banck—you say "he procured in Rome an edition of the famous Tax-book of the Roman Chancery and published it." I apprehend that here you have made another mistake: and that Banck never made any such assertion. His statement was, that he had procured a number of copies, differing in a variety of points from each other, not only in the difference of coins, but difference of crimes and difference of rates for the same crimes; and that out of the whole he gave a new compilation, "supplying from each what was wanted in the others?" Thus it was not an exact copy of any preceding one. It was not a document for which any tribunal was accountable. He does not say that he compared it with these copies that you have enumerated in the paragraph and found them to agree; but that he used them in its compilation, supplying from one the deficiencies of the other, and thus showing that they did not agree. Your copyist or compositor has made a mistake in the Wittenberg edition, which you put in 1538, and Banck says 1558.

Your witnesses then are reduced to: 1st, Pinet, who gave the edition of Lyons, in 1564, which I look upon to be the original forgery, and appears condemned upon the Index in Rome, in 1570, and who, as Bayle himself acknowledges, does not cite or describe the original from which he affects to have made his translation. 2d. Banck, whose compilation was edited at Franker, in 1651. Supposing all that their publications assert to be true, it will not sustain the allegation of the memorial. I shall next proceed to give my reason for asserting that previous to that of Pinet, there was no edition which contained the tariff of sins, and then to show that the tariff is a fabrication. In doing this I shall necessarily have to examine the value of Bayle's assertions and reasoning. Should I succeed in disposing of the tax book, the field will then be clear for indulgences, should you think proper to enter upon the subject, and the press continue to afford us its accommodation. I shall endeavor to clear away this topic in my next.

You state that Bayle remarks, "that in the preface to Banck's edition, 1651, it is observed that the authors of the tax book," who must have been creatures or officers of the Pope, "finding it get abroad, endeavoured to stifle it, and inserted it in 1570, on the index of prohibited books." How is this to be reconciled with another statement of D'Aubigne, given by Bayle? "There is another book, which those I have lately mentioned," Catholics of France, "endeavoured to the utmost of their power to suppress, but the Roman pontiffs would never permit it. It is the book of taxes, where, at a glance, a good Catholic sees a low price set upon his sins," &c. This was written about the year 1620. How reconcile both with what Bayle attributes to Drelincourt, quoting his own words to the French Catholic Bishop. "Those of your own communion, so far from being ashamed of this book, which invites traders with the sound of the trumpet, that they are perpetually publishing and exposing it to sale. I have myself seen three Paris editions of it," &c. This was about 1665. Such are your witnesses.

I have the honour to be, reverend sir,
Your ob't and humble servant,
† JOHN, *Bishop of Charleston.*

The papers which copy Mr. Fuller's letter, will please copy this.

(From the Courier of August 20, 1839.)

Charleston, August 19, 1839.

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—I stated in my letter of the 17th, that I considered the Lyons edition of Pinet as the original forgery of the editions made to the Tax Book of the Roman Chancery. Before I proceed further, it will be useful to know the nature of the Roman Court, and the duties of that tribunal which is styled the Chancery.

The Court of Rome has always had its

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business divided amongst several tribunals, and no other court in existence is more jealous and strict in keeping each within its proper sphere. The office of Chancellor upon the continent of Europe, was by no means similar to that in England. In Rome, the Chancellor was a notary, whose duty it was to examine and correct certain public deeds, and to judge some classes of small cases regarding titles. The tribunal had its numbers of members increased and its duties better defined by regulations of Pope John XXII., about the year 1320, and in or about the year 1450, Pope Nicholas V. remodelled it to the form which it now has. The causes of which it has cognizance are: the temporalities of vacant sees, especially in the Roman states: the collation of benefices, the exchange of benefices, the resignation of benefices, the absolution from canonical censures, viz.: excommunication, suspension, interdict; but not from sins, nor from penance: dispensations from irregularities in the impediments of marriage, created by the canon law: and the revision of documents, for the correction of style, the supplying of omissions and the proper engrossment. The officers of this tribunal are entitled to certain fees for their labour, and may retain the document until the fee is paid. It frequently has happened that their exactions were extravagant and oppressive, and a tax-book of fees was therefore regulated by authority, and any officer demanding or receiving a larger fee than that specified in the Tax-book, incurred censures himself, and was fined heavily. This Tax-book was published by authority, that all might know the charges, and that imposition should be prevented. This, then, is the Tax-book of the Roman Chancery!!! This tribunal had nothing to do with sins, either by granting a license, or by giving an absolution, or by remitting a penance—and therefore it would be folly to look in the Tax-book of the Roman Chancery for the prices of sin. How then came they to be inserted in the book?

I answer, by interpolation, by forgery—and the very insertion of them, in this book, was sufficient evidence of that crime; for of all places, their insertion upon the Chancery Tax-book was the most preposterous. This, sir, will show you why I confine you to Chancery, and do not leave you at liberty to run about, as you please, from tribunal to tribunal, through the entire court, in which you may find a dozen or two of other dodging places. You brought me into the Chancery, and I shall take good care to keep you there!

Now, sir, I come to dispose of "the statute formerly passed by the Roman Chancery, making assassination and murder, and prostitution, and every crime, subjects of license and taxation, and regulating the price at which each might be committed."

You tell us, that D'Aubigne stated that the edition of Paris, in 1520, was the first. I beg leave to refer you to my letter of the 17th, where I show that D'Aubigne says no such thing, but that his note-maker said the edition of 1570, was the first, and another note-maker says, that it was probably a mistake, and that 1520, was meant. This is no evidence of an edition in 1520, in Paris.

You assert, that Bayle shows it to be incorrect to say that the Paris edition of 1520, is the first—"that there was published an edition at Rome, in 1514, and one at Cologne, in 1515." Now, sir, if by *shows*, you mean *states* or *asserts*, I allow all you require; but Bayle's assertion is not proof, and he gives no proof. Banck says, that amongst the copies which he consulted, and from which he made his selections, were an edition of Cologne, in 1523, and one of Wittenburg, in 1558, not 1538, as you state, and an Italian tract with the tax under Innocent X., which could not have been earlier than 1644. You state that "he procured in Rome, an edition of the famous Tax-book of the Chancery, and published it." The edition published by Banck was in 1651—the copy he brought from Rome, was in 1644, and it was upon the Index of prohibited books, in 1570—exactly seventy-four years previous to this date, and the preface to Banck's edition informs us, that it was placed upon the Index, in 1570, because in Rome they were ashamed of it, and sought to stifle it?—and yet they printed and published it, and allowed their enemy to bring away a copy to publish it to their degradation!!!

Previous to Pinet's publication of 1564, in Lyons, we should then have the following editions:—A Roman in 1514; Cologne, 1515; Paris, 1520; Cologne, 1523; Paris, 1525, and Wittenburg, 1558. These, we are told, were publicly known, might be had by any one who chose to purchase, and contained the prices at which a person may procure a license to commit assassination, murder, prostitution, and all other sorts of crimes, and all at a very moderate valuation!

Now, you are quite aware that the period of fifty years which elapsed between 1514 and 1564 was, of all others, that in which the most furious declamation was made against Rome upon the subject of her sale of pardons, indulgences, and licenses—and during this period, we are told that there were publicly printed and sold at least six

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editions of this Tax-book, containing the tariff you charge upon the Roman Chancery; and yet, during that entire half century, not one writer, not one preacher, not one reformer, not one enemy of Rome, not one friend to virtue, that we can discover, alluded directly or indirectly to this damning evidence, which would at once have covered the Roman Chancery with shame, and given such a triumph to the enemies of the Holy See!! Luther began his opposition in 1517, and then he had under his eye, if they existed, the edition of Rome in 1514, and that of Cologne in 1515—and he never alludes to either; but in his Theses he distinctly charges the agents of Tetzel with acting against the spirit of the See of Rome, in their vile traffic. During a period of nearly thirty years that elapsed before his death, he never appears to have known of this Tax-book; though we are told that Cologne published a second edition, and Paris two others. Here was a man who spared neither kings nor popes, who eagerly sought every mode of destroying the credit and the power of Rome; we find him with so formidable a weapon close to his hand, and he never uses it. Sir, I want no other proof than this, that, up to the period of his death in 1546, no such edition of the Tax-book of the Roman Chancery as that edited by Pinet in 1564 had appeared. Is it in human nature, that Luther should have burned the bull of Leo X., and spared his tariff of licenses, if such a tariff existed? That he should tell the Pope that he was so full of devils that he spat them from his mouth, blew them from his nose, sent them forth by every mode of discharge, and yet not fling at him his book of taxes?

John Calvin was not less industrious, or less competent than Luther. He inveighs vehemently against the pardons, the dispensations and the indulgences of the Holy See,—and continued to the period of his death, in 1564, to turn to the best account everything which could aid him in his opposition! And never does he, directly or indirectly, advert to this formidable Tax-book! How many men of extraordinary talent, of deep research, of indefatigable exertion, and of unrelenting hatred to Rome, were, during the half century that I treat of, united in the same cause with the two great Coryphœi of secession from the Holy See, —and not one of them refers to this document, of which, we are solemnly assured, that at least six editions were published and scattered abroad! I apprehend you will search in vain for one writer up to this who mentions it, or who alludes to it. No! not one can be found,—because the Tax-book, which was well known, contained no such items as those which shocked you, and the forgery had not yet been committed. Neither Mosheim, nor any other respectable historian of the period, alludes to such a document. Robertson pins his faith upon the sleeve of Bayle, and refers, in his note, to an edition sent forth eighty-seven years after the first interpolated edition made its appearance,—nor does he give us the testimony of any cotemporary writer to sustain the assertion, that this book existed previous to the period of Pinet. I now assert that there is no evidence, either primary or secondary, of the existence of any such tariff as you describe previous to the edition of Pinet, in Lyons, in 1564. Bayle, indeed, mentions previous editions, as if they had existed,—but he gives neither proof nor authority to show that they did.

As you appear to esteem Bayle so highly, and remember he was no Catholic, and in his works certainly never favoured the Catholic religion,—I shall, unless you require other authority, leave Antoine du Pinet, Seigneur de Norroy in his hands. He will inform you that this writer was strongly attached to the Protestant religion, and a bitter enemy to the Church of Rome. Feller says that his fanaticism became a sort of madness against the Catholic Church, "qu'il accabla de milles outrages," *which he overwhelmed with a thousand outrages.* I have shown you his disposition. He gave what purported to be the translation of the Tax-book of the Roman Chancery, with the title enlarged and revised by A. D. P. He states the object of his publication to be, to show his readers "the assessment of their souls, according to the rate set upon them by their terrestrial god." He does not state from what edition or copy he took his translation. This Bayle acknowledges, and states that it was a great oversight. I think I may fairly rest my case here, and say the work is therefore of no value or authority. But my object is to show more. This would be sufficient to deprive you of your witness,—but I wish to show why I look upon him to have been the original impostor.

He appears himself to be conscious of his position, for in his dedication he forestalls the objection that he is interpolating. "And lest any dataries, auditors, &c., should suppose and say that I have made mistakes in my work, I have faithfully annexed the Latin text of the Papal Chamber with a French translation." Yet he does not show where the original, as he calls it, was procured, nor can any of his advocates to this day. This edition has crimes and

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their prices mixed up with the ordinary taxes of the Roman Chancery—and as I before remarked, they are thus as completely out of their place as it would be to insert the rates of pilotage in the fee-list of the ordinary of the district. This, of itself, as I before observed, is conclusive evidence of forgery. It may be asked, was not Pinet a literary, well-educated man,—a scholar? How could he have made such a blunder? I answer, it would have been far more strange, if it were made in the proper office at Rome. Let Bayle answer. It were to be wished that some of his notes "explained certain forms of expression, which occur very often; but I am of opinion that he was not sufficiently skilled in the canon law, nor in the style of the Court of Rome, to clear up obscure particulars." That a self-sufficient man, insufficiently skilled in the canon law and the style of the Court, desirous to foist into some document a passage to gain an end, should blunder and stray in such a manner as to leave the defect open to detection, is very easy and natural. Again, Bayle informs us that "at the opening of his commentary, Pinet intended to give the price of every tax, but was forced to acknowledge that he could not do it;" and he adds, that no reader who desires to understand perfectly what he reads, can be at all satisfied with the explanation of Pinet.

But why charge forgery upon him? Because it was committed by some one, and his, as far as can be discovered, is the first book in which it appears,—and because he gives no clue to what he says was the original,—and because he hated to madness those whom the forgery was calculated to disgrace and to injure,—and because he was an adept at invention in lieu of history.

You are aware, sir, that "he published some very wild chimeras with respect to the genealogy of certain families," as Bayle calls them. Nor were they considered as romances, but the veritable histories of Berold of Saxony, of Ferry Borstelstickel, whom Thevet, the romancer, makes the head of the noble house of Chabot. And in giving the pedigree of the house of Sault in his treatise, *Plans des principales forteresses du monde*, we have served up to us, as authentic history of undoubted facts, the origin of a noble house, in the life and adventures of Hugh, Prince of Tric, an imaginary state which Pinet alone could discover in Pomperania,—and this hero was worthy of the love of the infanta Valduquè, the beauteous daughter of Valduqree the King of Pomperania. His fictions substituted for history, and intended by him to be received as faithful statements of facts, are so notorious as to be unquestioned. Efforts have been made to excuse him, and the best is that given in Le Laboureur, addit de Caselman, tom. 11, p. 511.

"All that can be alleged in excuse for Du Pinet is, that he wrote in an age when phantoms were given for ancestors to such persons as, having no traces of those from whom they derived their origin, gave for their dressing up and setting forth, some vague traditions and old wives' tales, of which their flatteries made mysteries;" thus, producing fictions for facts, was an occupation in which the lord of Norroy was an adept.

To sum up then: We have no proof of the existence of any edition previous to that of Pinet, containing any of the articles of the tariff of iniquity. They would be quite out of place upon the Tax-book of the Chancery. They are found upon that which Pinet published. He was too ignorant upon this subject to know that this was not their place, if a place they could have. He was blinded in his judgment by his hatred of the Holy See, which would be disgraced by their being considered its act. He was accustomed to substitute fiction for fact, and he gives us no reference to the source from which he obtained the document which he says he translated. His book is published, and in as short a time as could reasonably be expected, it appears upon the list of condemned books by the authority of the very court which he charges with the imposition of the tariff, and this is the most solemn, authentic, and open disclaimer which that court could make in the face of the Christian world.

Here, sir, I may close my reply, and respectfully tell you, that so far from having "fully made out their case," the Prince William's committee have not produced a single good witness to sustain it, but have kindly afforded me an opportunity of showing to my fellow-citizens the nature of a document which has had its day in Europe, until the criticism and the candour of well-informed Protestants have acknowledged the injustice of the charge which it contains, and ashamed of the folly of their ancestors, have stricken it from the books of education in which it was inserted: so that at present, no man in Europe who aspires to the reputation of a scholar, or the liberality of a gentleman, will venture to allude to the Tax-book of the Roman Chancery. But, sir, I have not written one-half of what I could adduce, to show that this is one of the forgeries upon which most of the im-

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putations against the Roman Catholic Church are based. I should be glad to be permitted by you and by the public press, to enter more fully into this case, and that of indulgences, which you have unnecessarily attempted to adduce in support of your untenable position. But there are limits which I must not infringe; and I shall not now waste the little space which is left to me.

Pinet's edition was soon assailed upon various grounds, and amongst others, upon the absurdity of introducing those items upon the chancery tax-list. A variety of other editions were given, purporting to be printed at previous periods and places where they had not been found before—and in this manner you may find fifty editions, if you please. Stephen Dumont, of Bois le Duc, however, in 1664, made an effort to remedy Pinet's mistake, for he procured a certificate from a secretary of Bois le Duc, that he compared, *mot à mot*, his edition in Flemish and Latin, with an edition shown to him as printed in 1514, and that they agreed. This edition, however, had the title, "Taxæ Cancellariæ Apostolicæ et *Taxæ Sacræ Penitentiariæ*." So that it was no longer a forgery, because although the chancery, as all know, had nothing to do with sins, the penitentiary had. But the misfortune was, that this discovery was made exactly one hundred years too late! We have another edition at Leyden, in 1607, without this improvement; but unfortunately the crimes are not the same, and in some instances the prices for the same sin are different. We have D'Aubigne's differing from both, and giving us a chapter of "Perpetual dispensations, more infamous than any contained in Pinet," and which the lord of Norroy, it seems, had never seen, and the prices for which were exceedingly low,—at which D'Aubigne expresses his surprise. Bayle, however, with his usual good nature, helps him out of his difficulty, by assuring us that the tax in the Chancery is low, but the Chancery only taxes for passing the paper, and the chief business is done in the tribunal of the Datary, (not the penitentiary, as poor Stephen Dumont imagined,) where people are taxed according to their purse, the rich heavily, and the poor moderately. How will this be reconciled with the clause which Bayle gives upon the testimony of your "Roman priest," Drelincourt, that in the copies which he saw, "the poor were not to receive the comfort of these dispensations"—"they were only for the rich;" and this was the clause in which they all particularly agreed? Bayle refers to the history of Parrhasius for the proof of his assertion; but it is again unfortunate that Parrhasius was treating of the trial and rehabilitation of two clandestine marriages, the business of which belonged to the tribunal of the Datary, and not of sins, or license, or absolution, or penance.

Now one word as to Banck's edition. His own testimony is, that collecting as many of these discordant copies of the Tax-book as he could, and getting some at and from Rome, he made one of his own in 1651—"Supplying from one what was wanted in another." I leave, then, to your own judgment to settle the value of this witness. That such forgeries were committed at that period, ought not to surprise us, as we find similar ones committed in our own day. I shall only allude to one. A fellow of Trinity College, Dublin, fabricated, not two years since, a letter of the present Pope to the bishops of Ireland: he is a clergyman, he acknowledged the work to be his, and yet retains his place! Mr. M'Ghee, a Protestant clergyman of the establishment, who is occupied in going a round of the United Kingdom, declaiming against Popery, as he calls our religion, quoted it in Exeter Hall, London, to show the villanous character of our church. It was rapturously received, and permitted to produce its full effects, until the Catholics traced it to its source, and the author, with a smile of complacency, assured them that it was not intended to do any injury to their body, nor to lower them in public estimation, but was an *ingenious device* to show what might be done: that he had a high regard for many Catholics, and that several of them were his friends. Yet this friendship notwithstanding, he permitted his mischievous forgery to produce its effects, until the industry of the Catholics fastened it upon him! Need I remind you of the reverend aiders and abettors of the forgeries of Maria Monk? Need I inform you of a reverend writer, who, amongst many similar fables, endeavoured to have it believed that the late Archbishop of Baltimore had subterranean passages from his house to the vaults under the Cathedral, and that he was in the habit of superintending the whipping of an apostate tailor? Some persons imagined that the object was to excite in Baltimore a repetition of the drama which fraud, and forgery, and bigotry produced at Charlestown. It was the force of evidence which urged Whittaker to write in his Vindication of Mary, vol. iii., p. 2: "Forgery, I blush for the honour of Protestantism whilst I write it, seems to have been peculiar to the reformed. I look in vain for one of those accursed outrages of imposition amongst the disciples of Popery." And again, p. 54, "Forgery appears to have been the peculiar disease of Protestantism." Sir, I write these

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things with regret, and feelings of humiliation and sorrow—but you will recollect that Whittaker was no Catholic, and that I have been reduced to the alternative of showing your alleged statute to be a fabrication, or of permitting the church in which, though unworthy, I hold so responsible a station, to be covered with undeserved reproach. I repeat, sir, that I do not charge you or your committee with crime. You have, innocently I believe, fallen into a mistake too general in this country. Is it then asking too much, after what I have exhibited, though hastily and imperfectly put together, and not containing one-half of the evidence I could adduce, to request of you to withdraw that very unnecessary paragraph from your memorial? You will not, I trust, think I am unreasonable in saying that you ought, at least, have some doubts of the existence of such a statute as you there describe: by retaining the paragraph you do great violence to the feelings of a portion of your fellow-citizens, for some of whom you profess to have regard. So far from promoting the object of your memorial, you will raise obstacles, though probably not insurmountable ones, to its reception, and to its success; for it not only wounds the Catholics, but many are of opinion that it is not very respectful to the Legislature itself, to insinuate that it may be compared to so execrable a tribunal as that which you describe.

I ask from you no concession of victory, no abandonment of opinion; but I do intreat as a favour, for peace, for prudence, for charity, to suppress the paragraph of which I complain. If you will condescend to my request, we may there conclude in amity, and, I trust, mutual respect. Should you decline, you cannot complain if I should follow up what you have begun.

I have the honour to remain,
Reverend sir,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

(From the Courier of August 29, 1839.)

To the Rt. Rev. Bishop England.

REV. SIR:—You have disappointed me. I had hoped that, in a great moral question, I should not find you still insisting upon a distinction where you certainly ought to see there is no difference; nor availing yourself of a sort of special pleading, which even in the legal courts is never practised, when men are willing to go into the merits of a case. The sophistry about a license and a tax, you still introduce, I perceive, when nothing else can be said. In your first letter, you admit that if you saw the editions of the tariff mentioned, "*it would prove* that a penalty was inflicted," &c.; but when I produce evidence the most satisfactory, of the existence of these editions, you say I ought to produce "the statute"—that is to say, I, at this day, ought to procure a *certified copy, from the Court of Rome*, of a document, all knowledge of which that Court has for years been most anxious to suppress! And as to the notorious traffic in indulgences, and the legitimate and inevitable inference of a tariff—why *this* you will not touch, through exceeding solicitude to be "confined to the precise question." Yet you do not hesitate about an episode on Maria Monk, or unmeasured and most unnecessary allegations as to two absent clergymen.

But why speak of *two* clergymen? What (I say it, I assure you, with respect, and meaning not the least insinuation as to your sincerity, yet in candour, in justice, what) are both of your letters but a series of assertions, which, though they may convey your honest opinion, certainly ought not to be ventured lightly, and never ought to be employed either as a substitute for testimony or a mode of impeaching the character of a witness. Only see, sir, how you appear.

In 1769, Dr. Robertson, at the head of the university of Edinburgh, states the enactment of the tariff as an historical fact, and his work is now a standard in colleges. To which I add that Schlegel, in a note in the last edition of Mosheim (Murdock's Trans. v. 3, p. 12,) quotes the authority of D'Espence, a distinguished Catholic doctor of the Sorbonne, who acknowledged and condemned the Tax-book, and that both Dr. Benson and Bishop Watson speak of it as unquestionable, (see Watson's Theol. Tr. v. 5, p. 274,) and that, as late as 1820, the Protestants reprinted it in Paris. (Bayle, v. 12, note.) Yet you affirm the work to be so acknowledged a forgery—that it is "stricken from the books of education, and no man in Europe, who aspires to the reputation of a scholar or the liberality of a gentleman, will venture to allude to the Tax-book!!!" You say, too, "Robertson pins his faith on Bayle, and the Frankfort edition of the taxes," whereas he gives several other authorities. His references stand thus—"Fasciculi Rer. expet et fug. 1, 355. J. G. Schelhornii Amenit. Literar, Francof. 1725, v. 2, 369. Diction. de Bayle, Artic. Banck et Tuppius. Taxa Cancellar. Romanæ, edit. Francof. 1651, passim." (Rob. p. 137.)

In 1705, Saurin affirms that he is able to "give to the whole world full proof," &c.,

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and cites the Tax-book, and in 1775 his learned editor quotes the work. What is your answer? "They are both declaimers."

Buck and the Encyclopædia give an extract from the work, and refer to authorities. But what of that? They "do not state that it was seen by a good witness," nor "that the extract is correct." Do you mean that they ought to have appended an affidavit that they did not deliberately record falsehoods?

You want, however, it seems, some one to say that "a good witness saw the book." Well, sir, hear Drelincourt. I never said he "was an Italian." Does "*Roman Catholic*" mean "*Italian Catholic?*" But granting as you say, (I have not examined the point, but conceding) that he was a Protestant; this certainly does not weaken his testimony with me, and you admit that "my mistake does not affect the question." Now, he is writing to a Catholic Bishop, and what is his statement? "I have seen," says he, "three editions, that of 1520, 1545, and 1625, and *I have myself* the edition of 1520." Does the bishop deny this? You do not pretend to affirm that, but dismiss him with saying "he proves nothing!" Proves nothing? he proves everything. And of what avail is it to say, the edition of 1520 was not of Rome? You know that an edition at Paris in 1520 could not have been the work of Protestants.

D'Aubigne also quotes the book, and I remarked that he cites the edition of 1520 as the first. You reply "*he does no such* thing." Be pleased, then, to translate the words of Bayle: "J'ai dit aussi que d'Aubigne cite l'edition de Paris, 1520." "I have said that D'Aubigne also cited the edition of Paris, 1520." This is the edition of Paris, 1520. This is the edition which Drelincourt had, and no doubt D'Aubigne also. "This is no evidence, however," you affirm, "of the edition of 1520 in Paris." I beg your pardon: I think it is, and, coupled with Drelincourt's testimony, it settles the matter.

But if this book was in use, it would be printed in other places where the Pope sold indulgences. Is there, then, any proof of this? and, in your own words, "Did any good witness see the editions?" The testimony of the Secretary of Bois le Duc is full and direct as to that of Rome. Du Mont having published an edition in 1664, professing to be from the edition of Rome, 1514, and wishing to satisfy the public that it was correct, applied to the Secretary of Bois le Duc, and that officer gave him a certificate which is printed with the work, declaring that Du Mont's work was word for word, exact with the edition of Rome, 1514. *Here*, then, we have Du Mont, who not only *saw* the Roman edition, but *reprinted* it; and we have also the official voucher of its accuracy. You seem to feel that this settles the question as to the edition of Rome, for you say, "a certificate that he compared *mot à mot*, his edition with an edition *shown to him as* printed in Rome." Sir, having given the French of *word for word*, (mot à mot,) which makes it appear as if you were translating closely, why did you not give the French for "shown him as?" Bayle has no such words. He says, "Je sais qu'en 1664, Etienne Du Mont, libraire de Bois le Duc, y publia, en latin, et en flamand, *sur une edition de Rome*, 1514, un livre intitulé: Taxæ sacræ Penitentiaræ apostolicæ, et qu'il fit collationner mot à mot son edition a celle de Rome, de quoi, un secretaire de la ville le Bois le Duc, donna un certificat, qui est imprime a la page 131." "I know that in 1664, Stephen Du Mont, bookseller of Bois le Duc, published in Latin and Flemish, *founded on an edition of Rome*, 1514, a book entitled, Taxæ, &c., and that he compared his edition word for word *with that of Rome*, of which a secretary of Bois le Duc gave a certificate which is printed at page 131." Bayle also says that two clerks of Bois le Duc, deposed that they aided the secretary in the collation, and that it was word for word; and their affidavits also accompanied the work. (Art. Pinet.)

Is there proof of any other editions? and did "any good witness see them?" Let Banck testify. He travelled in Italy, and Spain, and France, and was a "scholar" and "professor of jurisprudence," and was "honoured with distinguished appointments." Here then, is a man possessing every qualification and facility, and he declares that, to make his work complete, he consulted the most ancient editions of the Tax-book, and compared them word for word: and that he used the edition of Cologne, 1523, and Wittenburg, 1558. He also examined "a *manuscript* copy shown him by Sibon, a Bernard Monk and lecturer in the College at Rome;"—of what date he does not say, but it was "a *manuscript*," and as the lecturer only let him have a sight of it, (*communique*,) I presume that it was the tariff then used, but which it was *no longer safe* to print; indeed the printing of which was prohibited. How do you get rid of Banck? With the other witnesses you simply affirm, "they prove nothing, are declaimers," &c. Of this one, you undertake to impeach the testimony by argument, and what do you urge? 1st. Banck's work "was not a document for which any tribunal was accountable"—that is to say,

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if a distinguished lawyer should collect carefully, and publish correctly, all the acts of the legislature on any subject, and give a complete and full edition, he would publish statutes for which the legislature was not accountable! As this will hardly bear looking at, you try another method. You first deny positively, that Banck says he *procured any copy* of the Tax-book in Rome. "Banck never made such an assertion," (letter 1st.) Then, in the face of this, affirm, that he does profess, not only to have *procured, but brought away a printed copy in* 1644—"the copy Banck brought from Rome, was in 1644," (letter 2d;) and then quote Banck himself, to show that the book was on the index of prohibited works in 1570; and exclaim with no less than three triumphant !!! at the absurdity. Is this right? Banck *does* say, he procured and availed himself of a copy in Rome; but it was a *private manuscript copy*, shown him by the lecturer as above—being, as I said before, the private copy of that monk. He says nothing about "bringing away any copy from Rome," much less a printed one in 1644. This second attempt is worse than the first. These sorts of arguments are dangerous; they are almost always sure to explode in the hands of the person who uses them.

After disposing of the witnesses in this style, you come to Pinet, whom you reserve for the last, and whose memory you seek to stain, by accusing him of a most foul and flagrant iniquity. "Feller says," you observe, "that he overwhelmed the Roman Catholic Church with many outrages." Now, sir, I do not stop to observe, that for this vague assertion of Feller's, you give not a single reason. Let that pass. Admitting that Pinet was severe upon the Church of Rome, you certainly retaliate heavily, when you requite him with an indictment for a crime most heinous and infamous. Does any single biographer or writer bring this charge against him? Not one. And of what consequence is your reference from Bayle, to a work of his, tracing the genealogy of certain families, in which his account appears sometimes to be fanciful? Is not the same true, as to almost all the writers who formerly attempted to give the origin, not only of families, but nations? What has this to do with the wicked and malicious enormity you unjustly impute to him? In this very next article, Bayle speaks of Pinet's translation of Pliny, and commends highly his discrimination and pains-taking industry. But what is all this to the purpose; and why reserve him for the last? Pinet was only mentioned as the author of an edition of the Tax-book, in 1564, and his name referred to, as the article under which Bayle furnishes much of the foregoing testimony; nor can I permit myself to be diverted from that testimony, by any digressions about "Hugh de Tric, and the beauteous Valduque, daughter of Valduqree," &c. Pinet only published an edition of the tariff, which the witnesses already cited, prove to have existed; and these witnesses at once repel the charge of deliberate forgery, which you ventured to bring against a literary gentleman of noble birth, and which you ought not to have brought without some proof. But you say you have proof. Well, sir, I will now see what it is worth. I think a moment's examination will dissipate it all, and leave you again standing upon your own unsupported asseveratiou.

Let us see what is the testimony by which you expect to fasten upon Pinet the guilt of having maliciously forged the Tax-book in 1564, although Bayle and D'Aubigne assert the existence of former editions, and Banck and Drelincourt declare, and the secretary of Bois le Duc and two scribes, certify officially that they were in their possession, and as we shall presently see, two eminent Roman Catholics admit them. You offer no direct testimony, but supply its place by two inferences. Now, when I pressed you with the sale of indulgences, and insisted upon the inevitable influence of a tariff, you did not like that sort of testimony, and evaded it. I will not, however, imitate you. I admit induction is a just mode of arriving at truth, and I take up your two inferences in order. What are they?

1st. The Roman Chancery has, you say, certain definite duties, and the tariff, even if enacted, would not belong to that department of the court. But, what force is there in this, to any one at all acquainted with the history of the course of justice? Not only is it a universal truth, that different courts have ever exercised concurrent jurisdiction in some things; but no legislative distribution of duties ever can confine a court like the Chancery, within a jurisdiction fixed and immutable. I do not profess to be acquainted with the court of Rome, and the "*dozen or two dodging places*," which you say it furnishes, and where, of course, a pursuit of the real culprit, in this matter, might prove for ever vain; but I know too much of courts to believe that the Roman Chancery has always, since 1450, been restricted to the precise limits which you assign to it. It is not, however, necessary even to make these remarks. I shall show, by your own admission, that the Chancery is the tribunal

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from which alone the taxes could have issued.

One of its present duties, you state, is "Absolution from canonical censure, viz.: excommunication, suspension, &c.," but you add, "not from sins." Well, in your own first note to me, you assure me that "*indulgence is not a license to commit sin, neither is it a mode of regulating the price at which sin may be committed, nor is it absolution from a sin already committed.*" Indulgences, therefore, being "not absolution from sins." come within the jurisdiction, not of the penitentiary, but the Chancery. Here, then, we have you, by your own declaration, shut out of the penitentiary, and shut up in the Chancery, as the proper tribunal to regulate indulgences; and then the nature and history of indulgences show them to belong to the Chancery. The real truth is, that indulgences, in their origin, were nothing more than a remission "of the temporal consequences of sin," (Mosh. vol. iii. p. 85,) that is, suspension and excommunication from the church. Faber correctly says, that they were only at first "a shortening of the period of excommunication." (Faber's Diff. of Rom. Ch. 11th.) Both the history of indulgences and your admission, then, show the Chancery to be the proper bureau for a tariff, regulating the prices of indulgences. In process of time, the Popes, bishops, &c., abused these very indulgences, and sold them to the people *as remitting sins*, in order to render them a good article; and Leo X. asserts (as I before showed), that he had a right to do so. But, although the deluded multitudes were thus fleeced, no change of jurisdiction could follow, because, while the Popes, bishops, &c., filled their coffers by the traffic, these were not "*the church*," and, to use the language of your own Gregory de Valentia, that infallible and immaculate abstraction, *the church*, looked upon the thing as only "a pious fraud, as if a mother should induce a child to run, by promising an apple, although she afterwards doth not give" it. (De Indulgen. L. 2.) Now, the Tax-book was the *Pope's tariff in the sale of indulgences;* and thus it is mathetically demonstrated that the Chancery was the proper court. You see, then, sir, that I have you in this dreaded tribunal with the Tax-book in your hand, and in spite of the "dozen or two dodging places!!" Here is your first proof that Pinet was a forger!!! One word more as to these courts. Bayle informs us of the case of Parrhasius. You say it was a case of "rehabilitation for two clandestine marriages." Now, it was not so; it was a case of incest, committed by a niece of Parrhasius, of which the guilty couple endeavoured to escape the punishment by a secret marriage. That, however, "could not shelter them, without the Pope's indulgences," ("a moins que la pape ne leur accordat une dispense.") To obtain this, Parrhasius writes to his friends at Rome to intercede, and they inform him that it is granted, and that he must come to Rome, and "not forget to bring the price at which the indulgence was granted," (qu' il n' oubliat point de porter l'argent a quoi la dispense etait taxèe.) Bayle adds that, besides the price in the Tax-book, Parrhasius had to settle with "the Datary." Here, then, we find the *Datary* concerned, not with a "rehabilitation," but with an indulgence for incest, which you say belongs only to the Penitentiary. Here the Datary grants the indulgence, and the Datary and Chancery were, you will not deny, once the same court. (Furet Un. Dict. Art. Daterie.) This is another conclusive evidence, that the argument, drawn from the nature of the courts, is entirely against you; and I shall presently show, too. that the Abbe Richard settles this point conclusively.

Now for your second inference. It is this: if the tariff existed, would not Luther and Calvin have upbraided the Pope with it? It will be time enough to answer that when you prove that they did not; and as it is a negative pregnant, the burden lies upon you. Sir, neither you nor I have ever read all the voluminous writings of these men. I do not believe that there is a complete copy in the state. This is enough. But suppose (which I do not admit) that the tax is not mentioned by either, in their printed works, it is no matter of surprise. The truth is, that it is only since Europe and the Court of Rome have been reformed, that any indignation or surprise would be felt at such a tariff. "The traffic in indulgences was so notorious, and the excesses (as Mosh. declares,) by priests and bishops, and every inferior ruler of the church," so outrageous, that the tariff was then a blessing, and its enforcement would have been a shelter from the promiscuous and *unlicensed* fleecing under which the people had groaned. Hence Mosheim mentions the Popes' confining the traffic to themselves as *limiting* the extortions of the bishops. Robertson says, "it is only since men have acquired more accurate notions that the sale of pardons appears impious," and adds, "these things are incredible in our age." But "this traffic was so far from shocking mankind (then) that it soon became general, *and in order to prevent imposition*, the officers of the Court of Chancery published a book," &c. The design of the Tax-book of the

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Chancery was similar to that of the license to retail, which is compared to it in the memorial, viz.: a legislative regulation of what before was *unlicensed and promiscuous*. How absurd would it be some centuries hence to argue, that the legislature did not pass the License Laws, because men who viewed these laws as an attempt to remedy the evil did not upbraid the legislature with them! No, sir, the tariff would have appeared no evil in those days. It was merciful in comparison with the gross and unbridled profligacy of avarice, which both Luther and Calvin saw everywhere around them, and which caused both to abandon a church which practised such things. I repeat, however, that there is no evidence that they do not mention the book. Be that as it may, the book was certainly known to them, since the Protestant princes inserted it in their cause for rejecting the Council of Trent, (held 1545–6, Bayle v. 3, p. 78.) This, then, is the worth of your second argument.

I have now to say a word as to one or two minor matters, but which go to fill up your argument, and appear plausible until examined. You profess, it seems, to have discovered two contradictions in Bayle, and you ask, "how can I reconcile these?" one is that Bayle says, "people are taxed according to their purse, the rich heavily, the poor moderately;" and in the edition of 1520, in Drelincourt's possession, "the poor were not to receive the indulgences," they were "only for the rich." Do you ask "how I reconcile these?" I answer, simply by referring to the original, and showing that neither Bayle nor Drelincourt assert what you quote. Bayle simply says, "it was necessary to settle with the *Datary* according to a man's circumstances," and refers to the case of PARRHASIUS and the Datary at Rome; the passage from the edition in the possession of Drelincourt, I have cited already in French; there is not a word about "only for the rich;" it is "they that have *no money at all* (non sunt,) cannot procure the indulgences." Where is now the contradiction? It exists only in your own quotations.

The other discrepancy you profess to have detected, is between D'Aubigne and Drelincourt's book, and the index of prohibited works; and you ask again, "how will I reconcile this?" I answer in exactly the same way—by referring to the original, and correcting your quotations. D'Aubigne says there were Catholics (and I trust there were many,) who wished not to "suppress" but "to extirpate" (extirper) altogether this damning book; "but the Holy See would never permit it," instead of doing what *they* wished, and at once abolishing the shocking practice, the Inquisitions of Rome and Spain, only condemn the book, "on the ground (as they pretend) that the Protestants had corrupted it,"—"ne l'ont condamnee qu'en supposant que les heretiques l'avaient corrompue." Bayle well adds, "this does not show that the church abhorred the rules, but may only mean, that they repented having allowed the book to be made public, and wished to keep it among the secret things of the Cabinet." This was the nature of the prohibition, and *Banck found, at Rome a manuscript used.* Who is, then surprised, that Claude D'Espence and others, who looked upon the practice as a great moral enormity, viewed these acts of the Inquisition as anything but the *extirpating* they desired? or that D'Aubigne considered them in their true light, viz.: as an indirect recognition of the principles of the tariff, since they do not disclaim or charge forgery as you do, but admit the book and only prohibit on pretence "that the heretics had corrupted it." Where, then, is the discrepancy? and as to Drelincourt's declaration to the Bishop what has that to do with acts passed by the Inquisition of Rome and Spain? You certainly do not mean that these would have prevented the sale which he mentioned in Paris. So much for the contradictions you detect.

You affirm that Pinet's edition was soon assailed, on the ground of the absurdity of making the Chancery the tribunal of the tariff. Of this, however, you furnish no proof. I have already shown that the Chancery was the proper court, and the authentic editions, which "cannot be disavowed," (Bayle) have their titles accordingly. That of Rome is entitled, ℣ Taxæ cancellariæ per Marcellum Silber, alias Frank, Romæ in campo Flore, anno MDXIV. die xviii. Novembris, impressæ, finiunt feliciter." That of Paris, 1520, is "Taxæ Cancellariæ apostolicæ et Taxæ pænitentiariæ itidem apostolicæ." What, after this, becomes of your assertion that Pinet's edition "was assailed" and that "Dumont made an effort to remedy Pinet's mistakes," &c.? As to different editions varying in some items of assessment, this is exactly what takes place in all legislation of this character. Are not our taxes altered at almost every session? that variation proves there was no forgery, since, in that case, all the editions would have scrupulously conformed to the spurious original.

So, too, in respect to the coins, and Pinet's confessing, in his preface, that he did not know the precise value of some. That you

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attempt to make these proofs of forgery, shows that you are indeed deplorably in want of evidence. They are proof (if any farther were needed) of the contrary. Any man who has ever been to Europe knows, that a traveller there, has to study a new sort of currency in almost every little principality and canton. It is not surprising, therefore, that Pinet could not give the precise value of all the coins mentioned in some of the copies of the Tax-book, edited, as they had been in different places, and as Banck attests of the old copies he examined —giving the prices in different sorts of money. On the other hand, it is certain, that had this work been anything but a translation of taxes previously existing, he never would have made the confession which you urge against him, viz.: that he could not give the value of every tax.

Really, sir, you must forgive me for saying that I cannot consent to follow you in these sort of criticisms. They consume time, of which I have none to spare, and contribute nothing to truth. Here is the fact. We are both quoting Bayle and searching his works for evidence. I repeat it, he was no Protestant. You assert that he was a Catholic only for a short time, and then became an infidel. The truth is, that *as to religion*, he is just the judge for this question, perfectly impartial between Catholics and Protestants. And as to a bibliographical point,—to which special pleading has degraded this discussion—you know, as well as I, that he is acknowledged authority all over Europe, and hence, notwithstanding your opinion expressed of him, as well as Saurin and others, you eagerly avail yourself of any evidence he gives in your favour. Now let us no longer be making extracts. All the testimony collected by Bayle, and his judgment on them with their grounds, will not occupy more space than your two letters. Give then, at once, not loose extracts in English, with attempts to detect contradictions, which must be vain, but the whole translated word for word. Will you do this? I apprehend not. I believe that all men would come to the conclusion Bayle does, on the evidence which he cites, and on which he remarks, as they would see, with perfect impartiality. As I have not room for the whole, I will give his conclusions. "Suppose that the heretics have corrupted the work, yet the editions of Rome, 1514; Cologne, 1515; Paris, 1520, &c., cannot be disavowed, and these are more than enough, to justify the reproaches of the Protestants, and cover the Church of Rome with confusion." Again in summing up the evidence—"My opinion is, that the Catholic controvertists, who can never be able to invalidate (S'inscairi en faux) the edition of Rome nor Paris, are in a very awkward predicament (un fort grand embarras). One may see this in the answer which l'Abbe Richard makes to M. Jurieu. This minister had exposed the abomination of the Tax-book. The Abbe's defence is, that they were only *individual acts* (*faits particuliers*), and never authorized by the laws and *canons of the Church*." Then follows the Abbe's reply in full, in which he says, that "Jurieu produces an ancient book of the Roman Chancery;" and his whole answer admits that the taxes existed in Rome, that they began under John XXII. (*the very Pope who you say regulated the Courts!!*) in 1320. But, that *the Church* suppressed them as often as they appeared; and he concludes thus: "Let M. Jurieu, then, be assured that the *acts of the Court of Rome* were individual acts, and not the acts of the Church." Bayle gives several reasons, which he thinks sufficient to fix the odium on the Church; but I do not cite them. I have never once attributed the work to the canons of the Church; I ascribed it to the Chancery, and l'Abbe Richard admits this fully. Here, then, is a single witness, of himself sufficient to overthrow all your argument about a forgery. The editors of the Nouv. Dict. Histor. Biograph. (Caen, 1768)—Roman Catholics and violent against the Reformation—refer (under Art. Pinet and Banck) to Pinet's translation of the Tax-book, without the least pretence of its being a forgery. I have other authorities, but I give only one, viz.: Claude D'Espence. I mentioned him before as cited by Schlegel; and Drelincourt also refers to his language against the Tax-book. (Bayle.) D'Espence was a doctor of the Sorbonne, and refused a Cardinal's Hat in 1555. (Lemprier's Un. Biograph.) Here, then, is another most distinguished Roman Catholic, and a man whose piety and magnanimity must command the admiration of all; what does he say? "Provided money can be extorted everything prohibited is permitted. There is almost nothing forbidden that is not dispensed with for money. So that, as Horace said of his age, the greatest crime a person can commit is to be poor. Shameful to relate! They give power to priests to have concubines, and to live with their harlots who have children by them, upon paying an annual tribute. And, in some places, they oblige priests to pay this tax, saying they may keep a concubine if they please. *There is a printed book*, which has been publicly sold for a considerable time, entitled, 'The Taxes of the Apostolical Chancery,' from which one may learn

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more enormities and crimes, than from all the books of," &c. &c. "And of those crimes there are some which persons *may have liberty to commit* for money, while absolutions from all of them *after they have been committed*, may be bought. I refrain from repeating the words, which are enough to strike one with horror."—Claudius Espence's Comment. ad Cap. 1, Epist. ad Tit. deg. 11.

Here then I stop, and let us see how matters stand *now*. You rest your whole case on proving Pinet's work to have been a deliberate forgery; and after two long epistles felt so confident, that it really seems an exercise of moderation not at once to "ask a concession of victory." But where are you now? I confess that when, at the request of some of my fellow-citizens, I hastily wrote the memorial, and casually used the comparison, I had probably only seen the statements of Saurin and Robertson, and these were sufficient to satisfy my mind as to the tariff. What Protestant community will believe that they would record, as you affirm, a palpable and notorious falsehood? I am now surprised, that in this corner of the world, in a sequestered village, without access to any of those large libraries of ecclesiastical documents, by which I am persuaded I could in a moment have settled the point, I have yet been able to procure such a mass of testimony to a truth, which it has been the effort of the greatest part of Europe to suppress. Let us recapitulate a little.

1. Of the two arguments on which you rely one is good for nothing, and the other recoils fatally and establishes decisively the very point you deny!!

2. There is full proof of editions long before Pinet's. His was in 1564, and L'Abbe Richard admits the tariff of sin 1320. Dumont and two clerks and the secretary of Bois le Duc establish that of Rome 1554, and Cologne 1515—and Drelincourt and D'Aubigne prove that of Paris 1520. Banck proves that of Cologne 1523; Drelincourt proves that of Paris 1545. 1546 is the date of the Council of Trent, and the protest of the Protestant princes, and in their protest they inserted a copy of the tariff—(This Bayle supposes to be the copy which Pinet followed as "they agree precisely," resemblent parfaitement.) Banck proves an edition of Wittenberg 1558. About 1555, Claude D'Espence flourished, and he admits the Tax-book as existing "*for some considerable time!*"

3. You assert that the Tax-book of sin is a palpable and acknowledged forgery. This may be your sincere conviction. But it is only at this late day, and on this side the water, that such a defence could be set up. Espence, about 1555, admits the work. In 1570, even the Inquisitions of Spain and Rome do not pretend to any forgery; but only that "it had been corrupted." And L'Abbe Richard, in Bayle's time, and in Paris, where certainly the matter could have been settled when Jurieu preached against the abomination of the Tax-book, and produced an ancient copy, did not for a moment attempt to say that there was forgery; but admits the guilt of the Chancery, and informs us when that Court commenced to issue tariffs for sin, viz., 1320; and rests his whole defence on denying that *the Church* could be held responsible for the acts of the Chancery.

4. You assert that the tariff is, in Europe, so universally acknowledged to be a fable, "that well-informed Protestants, ashamed of the folly of their ancestors, have stricken it from the books of education, and that no man in Europe who aspires to the reputation of a scholar, or the liberality of a gentleman will venture even to allude to it." And yet, in 1820, it is printed by the Protestants in Paris. In the latest edition of Mosheim, Schlegel cites D'Espence in proof of it; and it stands recorded in the works of Benson, Watson, and Robertson; and, I venture to say, in every Protestant work, where it was ever mentioned! So much for the former part of your remark, and as to the latter, an humble individual like myself must, I suppose, be content to occupy a place with Robertson, Bishop Watson, and others, who are so excessively liberal and ignorant, as to be convinced by testimony, which is full, conclusive, and irrefragable.

Your remarks on an English divine, whom I do not know, and a clergyman in Baltimore, whom I think I do know, (and who, if my suspicions be correct, is one of the most honourable upright and devoted Presbyterian pastors in the country,)—these remarks require no comment from me. Whittaker, however, demands a passing tribute. He declares, you say, "that forgery is peculiar to Protestantism, and that he *looked in vain* for one of these accursed outrages amongst the disciples of Popery." Such is his broad assertion; and you endorse it, by adding, "it was the force of evidence, which urged him to write this." Well, sir, if this be so, Protestantism, instead of reforming one part of Europe, and more than half reforming the other, as some ignorant and illiberal people think, has indeed proved a curse to the world. But, without saying a word about the notorious third Lateran Council, which makes not only falsehood, but perjury, a virtue, in behalf of the church—omitting that, will you

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permit me respectfully, to ask you one question? Did neither you nor Whittaker, in "looking" for an example, ever chance to light upon a certain book called "Pascal's Provincial Letters?" Remember, sir, Pascal was no Protestant; he was one of the most brilliant ornaments of your church and an ornament to his age; and he writes of the Jesuits, whom I venture to pronounce the most enlightened as they were certainly the most powerful, of all the Roman Catholic orders. And what does he say of them, and their principles of action? I quote from page 329, where he speaks of their mode *of defending themselves against a passage in one of their writings*, with which (as in the case of the Tax-book) they were sometimes rather ungraciously twitted. "La plus innocente maniere de vous defendre, est desavouer hardiment les choses les plus evidentes." "To deny boldly the most evident things, is your most innocent sort of defence." "Vous forgez des ecrits, pour rendre vos ennemis odieux, comme *la lettre d'un ministre a M. Arnauld*, pour faire croire," &c. "You forge writings to make your enemies appear odious, as the *letter of a minister to M. Arnauld*, in order to have it believed," &c. "Vous attribuez, d'autres fois, a vos adversaries des ecrits pleins d'impiete, comme *la lettre circulaire des Jansenistes.*" "You falsely attribute at other times to your adversaries writings, full of impiety, as *the circular epistle of the Jansenists.*" "Vous citez, quelquefois, les livres qui ne furent jamais au monde, comme *les constitutions du Saint Sacrement*, d'ou vous rapportez des passages que vous fabriquez a plaisir." "You cite sometimes books that were never in the world, as *the constitutions of the Holy Sacrament*, out of which you quote passages fabricated by you at pleasure." These are the words of Pascal, and these the principles of the Jesuits. Yet, Whittaker, good man, cannot for the life of him, find one instance of forgery among the Catholics, and declares that it is "peculiar to the reformed;" and you vindicate his assertion!! No apology is needed for citing these passages. The case demands it, and while the remark made by Whittaker, and affirmed by you to be the truth, is a sweeping denunciation of the whole Protestant world, my quotation (like all I have said) has reference to the morals of an age long past. These very Jesuits were the persons who, in 1570, issued an Index Prohibitorum, in which they do not pretend a forgery, but only a corruption. That such men stopped there, can only be accounted for by remembering that they lived, not in the nineteenth, but in the sixteenth century; when, although goaded with the book by the Protestants, even they felt that the thing was yet too notorious for them to hazard farther.

One word more as to the request with which you close. From the very first, I have declared that the committee had no intention to attack the Church of Rome; and I cannot now but add that I think you have, most gratuitously, forced on a controversy, by which you can assuredly have done that church no good. If your object was not strife, but "peace and charity," why did you not make the request in your first communication? And why even now, after using such holy terms, do you finish off with a flourish about "following it up?" I owe it both to you and myself not to put upon this language the construction it at first seems to demand. Yet what is its meaning? And why employ it at all, if your wish be for "peace and charity?" But you assure me that this is your desire; and you appeal to my feelings, as a Carolinian, and a man, and a Christian, to expunge from the memorial the unnecessary paragraph—as it cannot promote, but will provoke opposition to the address, and may seem disrespectful to the Legislature; and does "wound the feelings of many of my fellow-citizens:" You "ask of me (you say) no concession of victory, no abandonment of opinion, but you entreat, as a favour, for peace, for prudence, for charity, that I will suppress the paragraph of which you complain."

Now, sir, here is a request, with which I, at once and most cheerfully, comply, as far as is in my power. I have no apprehensions that the Legislature would impute to the Prince William's meeting any want of respect. It is the love we bear our native State, and our desire to see her maintaining her high and noble station—as well as a wish to rescue our fellow-men from destruction—which has prompted our petition, that a great and growing sin may no longer be made the subject of license and taxation: what you suggest, therefore, as to this, has no weight with me. But to your other reasons I have no hesitation in yielding. To refuse would be to give you good ground for questioning the sincerity of my repeated assurances that I never meant to attack a religious sect or to insult its members. As to the Tax-book of Iniquity, my opinion has been fully confirmed and established, by the investigation required in this discussion; but "peace and charity" are names which should be very dear to every disciple of the Lord Jesus, and "for peace—for charity," to prevent unnecessary "opposition to the memorial," and to satisfy those to whom

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you allude, that I had no design "to do violence to their feelings," simply from these considerations, I express my free and full consent, as an individual, to the alteration you so earnestly entreat. This, you at once see, is all I can do. Had you been present at the meeting, and made this request, I, as one of the committee, would have acceded readily. At present, you are aware, that the report of the committee belongs not to me, but to the body which adopted it. As the offensive clause is entirely unimportant, being only a comparison, I make no doubt but that the gentlemen who may present the memorial to the Legislature, will feel themselves at liberty to omit it, if requested to do so, for the reasons you assign. As to this, however, I, of course, can say nothing.

I conclude, by expressing a hope, that no word has been allowed to escape me in this paper, which can be regarded by you as a departure from the courtesy I wish to observe. If so, I beg leave to say that I am unconscious of it, and to assure you that it has been wholly unintentional. I have the honour to remain, reverend sir,

Your most obedient, humble servant,

RICHARD FULLER.

Beaufort, August 23d, 1839.

Charleston, Thursday, Aug. 29, 1839, 10 o'clock.

To the Editors of the Charleston Courier:

GENTLEMEN:—I have just now laid down your paper of this morning, which contains the letter of the Rev. Richard Fuller, dated the 23d inst.

As I am very much pressed by duties which will admit of no postponement, I shall not be able to send my reply this day, but trust I shall be able to furnish it tomorrow. I flatter myself that I shall be able to meet his new testimony, and to show that his remarks on my topics will not sustain his conclusions. Should he then consent to let the *special case* of the "Statute enacted by the Roman Chancery," be judged of by the testimony and arguments adduced, I shall consent to abandon my *special pleading*, and in considering the merits of the questions of indulgences, and their abuse, I shall be ready, in return, for his concession, in consenting to withdraw the clause objected to by me from the memorial, to grant him, that enormous and criminal abuses did exist, although I have no doubt that the Tax-book was interpolated, and that the editions which he refers to should be considered forgeries.

I shall, however, if I mistake not, satisfy him that the Roman Catholic Church condemned those abuses, and used great efforts for their correction.

Yours, respectfully,

† JOHN, *Bishop of Charleston.*

(From the Courier of August 21, 1839.)

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—You tell me that I have disappointed you: I regret it; but I must say that you have not disappointed me. I calculated that you wrote the truth, when you asserted that you meant nothing offensive to Roman Catholics by the passage in the memorial which has given rise to this controversy. Your acceding to my request is the best proof you could furnish, that my estimate of you as a gentleman was correct. I am quite certain that, though it is not in your power to strike the passage from the memorial, it is quite in your power to prevail upon the other gentlemen who have adopted it to consent to its being cancelled; and, of course, so far, we shall stand as if this clause never had been. I also calculated that you would use your best exertions to sustain the position you had taken. Neither have I been disappointed. I was prepared for ingenuity and industry, and I see full evidence of both.

But I have disappointed you, because I did not abandon the original question, and because I had recourse to special pleading, instead of entering into the merits of the case. Sir, I apprehend the question originally was, whether there was "a statute enacted by the Roman Chancery, making assassination and murder and prostitution and every crime subjects of license and taxation, and regulating the price at which each might be committed." Now I still consider the merits of the case to be found solely and singly in the question, whether the Roman Chancery did enact such a statute: and I therefore avoid every other. You produced a number of witnesses and examined their merits. Yours was a *special charge*, I made a *special reply*. The question is one rather of simple inquiry as to the truth of a special allegation made by you, than of religious controversy. But I am free to avow that if such a statute was enacted, the tribunal and its abettors were therein guilty of the most irreligious misconduct; and I now repeat what I originally stated. I wish, "if you be correct, that the whole community may unite with you in the reprobation you so justly cast upon the Roman Chancery." The Tax-book of the Roman Chancery was produced

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by you as the statute. I admitted that there was a Tax-book, but I denied that the copies, which, upon the authority of Bayle, you produced, were correct. I stated that they had been interpolated, and I gave you as *my opinion*, that Pinet was the original fabricator. You now undertake to show that I had no ground for asserting that there had been an interpolation, and why my opinion respecting Pinet is untenable. The two questions are perfectly distinct. I have no doubt whatever respecting the first, that is the interpolation. With regard to the second, viz., Pinet's being the original fabricator, I am not so positive; but it is next to evident to my mind that he was. I see no reason to change my opinion—and such is the opinion of "many critics much more respectable that I can pretend to be." These, sir, were from the beginning my assertions.

Pinet's book was published in 1564. My statement was that there existed no previous edition of the Tax-book which contained these iniquitous items, whose existence, upon a genuine copy, would appear to sustain your assertion, that such a statute as you describe was enacted by the Roman Chancery. Pinet's edition contained some such clauses.

Your ground then would be to show that previous editions, containing those or similar clauses, did exist, and that they were genuine and authentic. In order to effect this, you endeavour, 1st, to fasten contradictions and inconsistencies upon me, in my examination of your witnesses,—2d, to uphold their credit, and 3d, to bring new evidence to sustain their position.

Now, sir, I shall proceed to examine your charges against my mode of showing that you have failed to prove the enactment of the statute. You say:—

"The sophistry about a license and a tax, you still introduce, I perceive, when nothing else can be said."

What is the proof of this?

"In your first letter, you admit that if you saw the editions of the tariff mentioned," viz., at Rome, 1514, at Cologne, 1515, at Paris, 1520, "it would prove that a penalty was inflicted, &c." Now, sir, I shall take the liberty of supplying what your &c. refers to, and what I wrote; it is as follows, "upon the delinquent, after the commission of the crime, not that a license was previously granted." You also appear to have overlooked the following words which I wrote, and which I shall here give in italics, "suppose I did see such a book, and that it was what you describe,—*it would not sustain the truth of the charge of the memorial.*" I shall not charge garbling upon you, but I apprehend that the complexion of my whole sentence was thus changed by you; for I there asserted, as I still do, that the existence of the book, even were it what you describe, would not prove that such a statute as that mentioned in the memorial existed. I also stated in that letter that I did not know of any book which fixes a price for the absolution from any sin, according to the doctrine of the Roman Catholic Church; and after stating, that in the Roman Catholic Church an indulgence is not a license to commit sin, neither is it the mode of regulating the price at which sin may be committed, nor is it an absolution from sin already committed,—and therefore it was not what your memorial described.

You desire to show my inconsistencies thus: "But when I produce evidence the most satisfactory of the existence of these editions, you say I ought to produce the statute."

Now, sir, if you did produce such evidence, it would not show that I was inconsistent, because I previously said, whether correctly or not it is for others to judge, that such evidence would not prove the allegation of the memorial; and again, I would not be inconsistent, for I still say that you have produced no such evidence,—but that, in saying that you have produced it, you only beg the question. This, too, is to be decided by our readers.

Again, you charge me with inconsistency because I will not touch "the notorious traffic of indulgences, and the legitimate and inevitable inference of a tariff." "And yet, I do not hesitate about an episode on Maria Monk, or unmeasured and most unnecessary allegations as to two absent clergymen." I have above shown why I would not touch indulgences, because their abuse was a different question from that of the existence of the alleged statute; and because, from their nature, they did not come under its description. The episodes were direct proofs of the existence of a system of fiction and forgery to misrepresent our tenets and practices; and these proofs were intended to meet efforts such as I have often known to have been made, and which, in your last, you make to uphold Pinet, when you say that I venture to bring a charge of deliberate forgery against a literary gentleman of noble birth, and which I ought not to have brought without some proof. I thought I had brought some proof, and I did not therefore think them "most unnecessary," nor do I consider them "unmeasured." In the case of one of the clergy-

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men, the author admitted that he fabricated the document,—and in the other, from my own personal examination, and from the most respectable testimony, I know the statements to be untrue.

It is not for me to judge of the value of my letters; it is for our readers, and to their judgment I commit them.

Your next charge upon me is, that I imputed to you, without foundation, the statement that Drelincourt was an *Italian*. Sir, I gave my authority; your own words were, that he was "a Roman priest." You ask me, "Does *Roman Catholic* mean *Italian Catholic?*" I answer, it may, because there are Roman Catholics who are Italians—and it may not, because there are Roman Catholics who are not Italians; but a "Roman priest" certainly means a priest of the Roman territory, which territory is certainly in Italy. You do not say that you wrote *Roman Catholic*, and if you did, the printer has made the omission, which misled me. And since I found you had so little knowledge as to give him to us as a Roman Catholic, which I inferred from your calling him a *priest*, an appellation which I believe Calvinistic clergymen disclaim, I thought you, perhaps, knew just as little of his country. Let this, sir, be my excuse in answer to your disclaimer.

You next ask me to translate the words of Bayle, where you assert that D'Aubigne quotes the book, and says, that of Paris, 1520, was the first. Sir, I am quite satisfied with your translation. It corresponds with the translation in the Charleston Library, to which I refer in making my statements. I was kindly invited by a mutual friend of ours in this city, to use in his library a French edition, to which, I believe, some friends of yours in this city also have access; but I generally use the translation made by English Protestants, and as it is open to all, I refer to it on this occasion. But let us see the charge made upon me, and how far it is sustained.

Your words are: "D'Aubigne also quotes the book, and I remarked that he cited the edition of 1520 as the first. You reply, 'he says no such thing.' Be pleased, sir, to translate the words of Bayle, (they are thus translated) Paris, 1520." Thus, you make it appear that I flippantly deny, without any ground, what Bayle asserts as notorious fact.

My words were, "you tell us that D'Aubigne stated that the edition of Paris, in 1520, was the first. I beg leave to refer you to my letter of the 17th, where I show that D'Aubigne says no such thing, but that his note-maker said the edition of 1570 was the first; and another note-maker says, that was probably a mistake, and that 1520 was meant. This is no evidence of an edition of 1520 in Paris." Now, your quotation from Bayle is in his note upon Banck; and for his assertion that D'Aubigne cites the edition of Paris, 1520, he refers us to the article Pinet. Bayle's own words there are the following: "The commentator on the words *five gros* declares that this is found in folio 36, *verso;* he doubtless means that edition mentioned by D'Aubigne, viz., that of Paris, 1570," to which the following marginal note is attached: "a typographical error, probably for 1520."

My remarks, in my letter of the 17th, respecting D'Aubigne, are, "Between himself and his note-maker, we are told of a Paris edition of 1570, by Toussaint Denis. Another note-maker in Bayle states, that this must be a typographical error, and that it ought to have been probably 1520." I then state that the object of the correction was manifestly to heal a blunder, which I there describe. I leave to my readers now to decide between us.

You next insinuate that I have given a false translation in describing Banck's edition, "Sir, having given the French of *word for word* (mot à mot), which makes it appear as if you were translating closely, why did you not give the French for 'shown him as?' Bayle has no such word." My answer is, because I was not translating closely, nor translating loosely, but describing, as my context shows. The description, also, I still give as correct. I did not assert that Bayle stated it in the words I used, "shown as printed in Rome," but I described it so. And how else could I properly describe it? Dumont, who printed the book in 1664, showed the secretary a book bearing on its title, if you will, that it was printed in Rome one hundred and fifty years before. I described it "shown as printed in Rome." Now, sir, you must be aware, and if you are not, abundant proof could be furnished to show, that at this period it was by no means uncommon to issue books, whose title pages purported that they had been printed in a different place, and at a different time, from what was really the fact. Nor was this always done for the purpose of misleading the ordinary reader, but more frequently to escape the penalty of a prohibitory law, and to baffle the prosecutor. Nothing is better known to those who have studied the history of books. Hence, the title page was no evidence; and it was therefore I described the book, "shown as printed at Rome." Bayle certainly has no such words, nor did I say he

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had. Neither does he directly assert that the work was printed at Rome. His words, as translated in the Charleston Library, are substantially yours.

"D'Aubigne's Commentator affirms, that the Paris edition of 1520 is the first; but I know that, in 1664, Stephen Dumont, a bookseller of Bois le Duc, published in Latin and Flemish, from an edition printed at Rome in 1514, a book entitled *Taxæ Cancellariæ Apostolicæ, and Taxæ Sacræ Apostolicæ;* and that he collated, word for word, his edition with that of Rome, of which a certificate was given, printed in p. 131, by a secretary of Bois le Duc. It is said, in the preface in question, that this same work was printed at Colen. *Apud Gosvinum Colinium, in* 1515."

Now Bayle furnishes no proof that this was printed in Rome, in 1514, or at any time, nor that it was printed at Cologne, in 1515; but he says that he knows, what I do not deny or admit, that Dumont printed a book from an edition which bore upon its title page, if you will, or professed, in any other way that you please, that it was printed in Rome, in 1514. The secretary does not prove, nor assert its having been printed at Rome, but the conformity of the copy. . In the article Banck, Bayle writes:—

"I have observed, likewise, that D'Aubigne quotes the edition of Paris, of 1520. That was not the first, as some have imagined; for the edition of Bois le Duc informs me that this book was printed at Rome, in 1514, and at Cologne, in 1515, and it was entitled *Regulæ, Constitutiones, Reservationes Cancellariæ, S. Domini nostri Leonis Papæ decimi, noviter editæ et publicatæ per Marcellum Silber, alias Franck, Romæ in Campo Floræ, anno MDXIV. die xviii. Novembris impressæ, finiunt feliciter.* This is what is testified by the two echevins of Bois le Duc, who, with the secretary of the city, had collated, word for word, this edition of Rome, with that which Stephen Dumont, bookseller, of Bois le Duc, published in the year 1664, and which is entitled *Taxæ Cancellariæ Apostolicæ, et Taxæ Sacræ Pœnitentiariæ Apostolicæ.*"

Thus, Bayle has no proof but Dumont—and what is the bookseller's proof? I shall suppose he had a book purporting to have been printed at Rome in 1514. Where is the proof that this was then and there printed? The echevins of Bois le Duc, as Bayle calls them; the two clerks, as you call them. Surely you will not say that they have proved the book to have been printed at Rome one hundred and fifty years previously. You only inform us that Bayle says they aided the secretary in the collation, and that they deposed this, and that the collation was word for word. This leaves us still without proof for an edition in Rome in 1514, or in Cologne in 1515. Was I then correct in describing the work which was used "*as* printed at Rome?" Can you say more for it than that it *purported to have been* printed there in 1514?

Now, sir, I have one word for you, and another for your clerks. You state that Bayle asserts that they "deposed," and to show that the deposition was an oath, you inform us, "and their affidavits also accompanied the work." Now, I can assure you, that in the edition in the Charleston Library, there is not a word which shows that they either made affidavits, or that their affidavits were published with the work. It only informs us that a certificate of the secretary was given, at p. 131. I should be sorry to find that they had sworn, as I could not acquit them of perjury if they had: for when you compare even the two titles, you will find that they do not correspond word for word, because each has many words not to be found in the other. And, in truth, if they were both placed before an impartial judge, who knew nothing of the transaction, he would have no good cause to suspect they were descriptions of the same work. And yet, sir, I always believed that when books were certified to agree, word for word, the agreement extended to the titles. Now, sir, I respectfully ask, did you not strain at a gnat when you quarrelled with *as?* and did you not swallow a camel when you gulped the affidavits, and admitted the agreement, mot a mot, and concluded from such testimony that there was an edition printed in Rome in 1514, and one at Cologne in 1515, corresponding with that of Dumont in 1664?

I must unwillingly conclude here, for the present, by assuring you of the respect with which I have the honour to be, reverend sir,

Your obedient, humble servant,

† JOHN, *Bishop of Charleston.*

Charleston, S. C., August 30, 1839.

(From the Courier of Sept. 2, 1839.)

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—I have now to explain a self-contradiction which you are pleased to charge upon me. You write:

"You first deny positively that Banck says he *procured any copy* of the Tax-book in Rome." To sustain this you quote my words: "Banck never made any such assertion."—(lett. 1st.) You proceed: "Then in the face of this you affirm that he does profess not only to have *procured, but brought*

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away a printed copy, in 1644." To sustain this you quote my words: "The copy Banck brought from Rome was in 1644." (lett. 2d.) This really looks like a contradiction; I must acknowledge that it does.

But, sir, the only explanation I can offer is, that when all my words are quoted, they have a very different meaning from what a few of them, separated from the rest, will bear. I shall give my words, as they are found in letter 1st. They are as follows: "Your ninth witness is Banck; you say," here I quote your words, "he procured in Rome an edition of the famous Tax-book, and published it." "I apprehend that here you have made another mistake, and that Banck never made any such assertion." Now, sir, the assertion which I say that Banck did not make, was that which you said he made; and your own words are, (letter of August 31,) "He procured in Rome an edition of the famous Tax-book of the Chancery, and *published it!*" My denial, then, was not of his having procured an edition in Rome, but of his having published *the edition so procured;* and my next words make this so plain as to allow no subterfuge: "His statement was that he had a number of copies differing in a variety of points from each other, not in difference of coins, but difference of crimes, and difference of rates for the same crimes, and that out of the whole he gave a *new compilation*, supplying in each what was wanting in the other. Thus it was not an *exact copy* of any preceding one." This was what I wrote, and it was plainly denying that the book which Banck published was by him stated to be what you describe it was, "a publication of the famous Tax-book of the Chancery which he procured in Rome," but alleging that it was a compilation of his own. Then, sir, I did not deny that he procured and brought from Rome any edition of the Chancery Tax-book; and, therefore, if I asserted that he did bring such a copy, I did not contradict myself.

We now come to the statement in my second letter, and there the passage is the following:

"Banck says that amongst the copies which he consulted, and from which he made his selection, were an edition of Cologne in 1523, and one of Wittenberg in 1558, not 1538, as you state (and though you have not noticed it, I was wrong here, for upon again looking to the article, I find you give it correctly,) and an Italian tract, with the tax under Innocent X., which should not have been earlier than 1644—(because it was in that year Innocent X. became Pope, and upon each accession no tax can be legally demanded until ratified by the new pontiff,) you state that 'he procured in Rome an edition of that famous Tax-book of the Chancery, and published it.' The edition published by Banck was in 1651—the copy he brought from Rome was in 1644."

Now all this was predicated upon your own assertion, the truth of which I denied. You asserted that he "published it." To what does it refer? Clearly to the "edition of the famous Tax-book," which "he procured in Rome." He published it, not at Rome, but at Francker. He must have had a copy from which the publication was made, and clearly that must have been brought from Rome. This, sir, was the process by which I was led to assert that, upon the supposition of your being correct in stating that if he procured a copy of the Tax-book in Rome, and published it at Francker, he must have brought the copy from Rome. Now, sir, so far from admitting the truth of your assertion, I denied it; (I did so letter 1st.) "You say he procured in Rome an edition of the famous Tax-book of the Chancery, and published it; I apprehend, sir, that here you have made another mistake, and that Banck never made any such assertion." I argued in the following manner, (letter second,) to show the absurdity of your statement: "The edition published by Banck was in 1651; the copy he brought from Rome was in 1644, and it was upon the index of prohibited books in 1570, exactly seventy-four years previous to this date; and the preface to Banck's book informs us that it was placed upon the index in 1570, because in Rome they were ashamed of it, and sought to stifle it, and yet they printed and published it, and allowed their enemy to bring away a copy, and publish it to their degradation!!!" You are quite correct in what you add, "and then quote Banck himself to show that the book was on the index of prohibited works in 1570, and exclaim with no less than three triumphant!!! at the absurdity. Is this right?" This leads me to see that you perceived what I intended to be the drift of my observations, which was to exhibit the absurdity of your assertion, "He procured in Rome an edition of the famous Tax-book of the Roman Chancery, and published it." I apprehend, then, that on my part there is no self-contradiction. I leave to the reader to form his own opinion of your production and of mine.

As I have been thus forced to the re-examination of Banck, it will be as well to dispose, in this place, of all that you urge to sustain him. You add: "Banck does say he procured and availed himself of a

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copy in Rome, but it was a *private manuscript copy*, shown him by the lecturer as above, being as I said before, the private copy of that monk. He says nothing about 'bringing away any copy from Rome,' much less a printed one in 1644." Now, sir, were I to take this assertion of yours as a ground upon which I could rely, I would desire nothing more to effect the complete destruction of your original assertion—"He procured in Rome an edition of the famous Tax-book of the Roman Chancery and published it." If he took no copy which he brought away, how could he publish it? He may publish his recollection of it; but would his recollection of a *private manuscript copy*, the private copy of a monk, printed after he had made a journey from Rome to Francker, be admitted as authority in any impeachment? Are the Pope and the officers of the Roman Chancery accountable for the contents of a *private manuscript*, the private property of a monk, which in all probability had never been seen by either of them, even admitting the existence of such a monk and such a copy, and the accuracy of the recollection of such witness? You seem, however, to think him an excellent witness:

"He was a distinguished Swede. * * He spent some time in Rome, and returned with great honour to his own country, and died in 1662. He procured in Rome an edition of the famous Tax-book of the Roman Chancery and published it." "He travelled in Italy, and Spain, and France, and was a 'scholar' and 'professor of jurisprudence,' and was 'honoured with distinguished appointments.' 'Here, then, is a man possessing every qualification and facility, and he declares that to make his work complete he consulted the most ancient editions of the Tax-book, and compared them word for word; and that he used the edition of Cologne, 1523, and Wittenburg, 1538. He also examined a *manuscript* copy, shown him by Sibon, a Bernard monk and lecturer in the College of Rome;' of what dates he does not say, but it was 'a *manuscript*,' and as the lecturer only let him have a sight of it (*communique*), I presume that it was the tariff then used, but which it was *no longer safe to reprint*, indeed the printing of which was prohibited. How do you get rid of Banck? With the other witnesses, you simply affirm, 'they prove nothing, are declaimers,' &c.; of this one you undertake to impeach the testimony by argument, and what do you urge? 1st. Banck's work 'was not a document for which any tribunal was accountable,' that is to say, if a distinguished lawyer should collect carefully and publish correctly all the acts of the legislature, on any subject, and give a complete and full edition, he would publish statutes for which the legislature was not accountable."

Now I shall try your remarks by Bayle's testimony, taken from his notes on Banck as found in the library. 1st. Bayle states that Banck "says that he consulted the most ancient copies, printed or manuscript." He enumerates those which he used, viz.: the edition of Cologne, 1523; that of Wittenburg, 1538; that of Venice, 1584; and the manuscript of Sibon, which you state he had not, for he only "had a sight of it in Rome," and he added notes and a glossary, and an Italian tract which contained the tax under Innocent X., who became Pope in 1644, and was at the head of the church in 1651, when Banck's book was published. Thus he saw one manuscript and had three printed copies, not one of which was either official or proved to conform to an official or authentic copy. Bayle subsequently mentions editions, Rome, 1514; Cologne, 1515; Paris, 1520; Venice, 1533; Paris, 1545; Venice, 1584; Frankfort, 1612; and Paris, 1625, and remarks, "Our Laurence Banck knew nothing" of almost all of these editions. I am quite convinced that of almost all of them the very persons who were said to have printed them knew nothing. This will show the extent of his research; as that of Venice, 1584, was in Banck's enumeration, we suppose he knew nothing of the other seven.

Before I stated that Banck's was a document for which no tribunal was accountable, I gave the reasons. 1st. That his compilation was not an exact copy of any preceding one. 2d. That the documents which he says he used, differed from each other. 3d. That he supplied from each what was wanting in the others. 4th. That though he gave it as an edition (and of course purporting to be a copy) of the Tax-book, it was a compilation of his own, for which he alone was accountable. I admit that if any tribunal subsequently recognised its correctness, that tribunal would then be accountable; but the tribunal which you endeavour to make responsible for it, concurred with that which denounced it. Bayle's words are: "And by comparing them word for word, supplied by means of one what was wanting in the others."

Now for your comparison of his work with that of a compilation of all the laws upon any subject. 1st. You beg the question, because Catholics denied that what he collected were laws. Bayle says that Pinet, Voetius, and Hottinger "opposed that [the

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Paris edition of 1550,] chiefly to the Roman Catholics, who would never allow that the tax of the Chancery was ever published with privilege, and next, because by placing it on the Index the proper Roman tribunal denounced it as no law.

"Collect carefully all the laws." The care with which he collected, may be seen from your own statement; he brought no copy from Rome, though he printed according to Bayle, a copy of the tax which was made use of under Pope Innocent X.,—that is, after 1644; that he knew nothing of most of eight editions which Bayle enumerates, and he makes no mention, in describing those that he used, of Pinet's in 1564,—"and publish correctly." How can such a compilation as this be called a correct publication, when he himself states that he followed no edition, but made a compilation from all? This is not noting the variations which successive legislatures may make in the laws upon any subject, and giving after their exhibition the exact law then in force; but it is combining into one mass all the statements of documents which purport to be copies of one instrument and which do not in fact agree. This is not a correct publication, according to my view; I will not say but in your estimation it may be correct.

Should an American lawyer of eminence make such a compilation as you describe, of the laws of any state upon a given subject, it would be a fair representation of the law and the legislature would be accountable therefor. Would the legislature of this state be accountable for a compilation made by a foreign lawyer, in order to bring the state and its legislature into contempt, though this compilation should purport to be an exhibition of its laws upon any subject, whilst the tribunals of the state openly denounced the works from which the compilation was said to be made, as *depraved by hostile opponents?* Banck was a hostile opponent to Rome; his compilation was made to bring its tribunals into contempt; the works which he said he used, if they existed at all, were openly denounced by the Roman tribunals, as *depraved by hostile opponents!* Thus, sir, I submit that I have sustained my assertion, "Banck's was not a document for which any tribunal was accountable."

I have then done with him, unless you should again put him forward. It is not my prerogative to force your assent; but it is my duty to show why I made the assertion, and it is for every reader to form his own opinion of the sufficiency of my reasons.

But, sir, I have a word or two for what you "presumed." You presume that Sibon's manuscript "was the tariff then used, but which it was *no longer safe to print*, indeed the printing of which was prohibited." I should suppose it would be equally unsafe to let an enemy get a sight of it in manuscript as in print, and that Sibon was then unsafe for having shown it, should he be convicted. He conferred a favour on Banck, by "giving the sight;" and his friend Banck, in return, published to the world, and of course to the Roman authorities, that Sibon, a lecturer in their college, betrayed them!!! You observe, I consider this to be so absurd, that I again use what you call my notes of triumph, but what I only intend for the admiration of astonishment. No, sir, it was not unsafe to print the genuine copy of the work of the Chancery, though I grant it would not be very safe to print an edition depraved or corrupted, and it was only the printing of such editions that was prohibited. In fact, the book containing the regulations of the Roman Chancery was continually printed and reprinted in Rome, from the discovery of the art of printing to the present day. Dr. Lingard writes, (Tracts published by Lucas, Baltimore, note, p. 115,) "I have, however, read the Regulæ Cancellariæ, printed 1481, and several other editions from that period to the close of the last century." They are reprinted at Rome, generally upon the accession of each new Pope. I have now before me a copy in the *Jus Canonicum* of Reiffensteal. The copy was published by the authority and direction of Pope Clement XI., and certified by the proper officer, Joseph Maria Minicoti, the deputy guardian of the Chancery. The document itself is contained in fourteen folio pages. Several decisions and solutions of questions arising from its contents, occupy nearly eight folio pages. I shall freely show it to any who thinks proper to consult it. I beg leave to copy your own remark, which our readers will apply as they see fit. "These sorts of arguments are dangerous; they are almost always sure to explode in the hands of the person who uses them."

You correct my reference to Dr. Robertson's authorities, and you say that, besides referring to Bayle, and the Frankfort edition of the Tax-book, he also refers to the Fasciculus and to Schelhorn. I admit the correctness of your description of his notes of reference; but they are for his entire paragraph, which contains many other statements besides the description of the Tax-book—and I apprehend you will find that the two which I omitted, are to sustain his other statements, and have no concern with

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that book. It is possible that this may, on my part, be a mistake. I, however, have some reason to think otherwise. Should you prove that I am in error, I shall be glad to be corrected, but it will not give Robertson one particle of additional strength. What would my argument gain, for instance, were I to prove that Dr. Robertson confounded Francker in the Netherlands, with Franckfort in Germany?

I have done with Saurin, with Robertson, with Buck, the Encyclopedia, with Dumont, with his secretary, with his clerks, with their affidavits, and with D'Aubigne and his note-maker's typographical error, and I have done with Banck.

You say that Drelincourt, who, as Bayle tells you, was a Protestant minister, "proves everything," in answer to my allegation that he "proved nothing." If you take his word for proof, which I am not disposed to do upon such a question, and under such circumstances, he proves that there was an edition of Paris in 1520, which contained the wicked clauses, because he said that he had it. Dumont said that he had an edition of Rome in 1514; he did not prove it. But Drelincourt told the Bishop of Belley that he had it; and you ask, "does the Bishop deny this?" I must avow that I do not know, for I have not seen the Bishop's answer, nor do I know whether he made any answer, but I do know that you will find in Bayle's note on Banck, the testimony of Gisbert Voet, a Protestant minister, that the Catholics denied its existence, "*Addo rem et librum a Pontificiis passim negari ubi, ita usu venit ut nostri allegando illam taxam mendacii et calumnæ suspecti sunt.*" He had been writing of the Tax-book which he calls *Pœnitentiariæ*, not of the Roman "Chancery," and he says that very few copies remain of the Paris edition in 4to of 1520. It is easy, he adds, to conjecture who destroyed them, and he begs that they who have copies may be very careful to keep them.

"I add, that the thing and the book are everywhere denied by the Papists, whence it has become usual that our people are suspected of lying and calumny in alleging that tax." I could add other witnesses. Thus, if the existence of the book was alleged by some few, it was "everywhere denied by the Papists." Drelincourt was born, as I before observed, in 1595: that is, the book is said to have been printed seventy-five years before his birth, and he is called upon to prove when and where it was printed; because, upon the strongest ground of his case, and believing all that he says to be true, he had a book which purported to have been then and there printed. You may call this proof; I do not. Voet, who was at least six years his senior, tells us that the Papists everywhere denied that there was such an edition; and I believe it is in human nature, that when a large body are fully aware that a notorious fabrication is adduced, to charge against them gross misconduct of which they are not guilty, a general denial, everywhere made, is all that can be expected, and that every repetition of the calumny is not met by a formal and written and recorded denial.

You adduce Drelincourt and D'Aubigne, as your witnesses for the Paris edition of 1520. I have done with the latter. I now repeat the former proves nothing; for though he might have had a book, purporting to have been printed in Paris in that year, there is nothing to show that it was then and there printed. It might have been printed after 1564, and dated 1520, and still be thirty years old when Drelincourt was born. Thus it is not necessary to impeach his credit to destroy his testimony. The same remarks may be applied to his book of 1545. I am done with Drelincourt and his testimony.

You ask me, "and of what avail is it to say that the edition of 1520 was not of Rome?" I suspect, sir, had you detected such a saying on my part, you would make it avail for more than I have done. "You know that an edition of Paris in 1520 could not be the work of Protestants." Perhaps not. But you know that an edition *as* of Paris and *as* of 1520 could.

I regret that neither my matter nor my occupation will permit me to conclude as speedily as we would both desire.

I have the honour, reverend sir, to be
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., August 31, 1839.

(From the Courier of September 3, 1839.)

To the Rev. Richard Fuller, Beaufort.

REVEREND SIR:—Your next topic before me is Pinet. You endeavour to sustain him in a variety of ways, and clearly it was important that you should. You first lecture me roundly for imputing to him the "heinous and infamous crime of forgery." That he was the original fabricator, was my opinion, and I still entertain it, your lecture notwithstanding. You ask, "Does any single biographer or writer bring this charge against him?" Suppose no one did, and that my reasons would lead to the conclusion, would

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the silence of others destroy their value? I am content to rest upon them for the support of that opinion. But I shall give you one writer, which will be sufficient to meet your question with a "yes." Dr. Lingard (p. 114 Tracts) writes:—

"It is indeed true, that for the transaction of business in the Papal Chancery, as well as in the ecclesiastical courts in England, fees have been required by the officers; but these are not paid as the price of sin, but for expedition of business. This circumstance, however, furnished a useful hint to some of the fathers of the Reformation, who had no objection to a pious fraud, when it might promote the godly work in which they were engaged. The Taxæ Cancellariæ Romanæ were ingeniously corrected, interpolated, and enlarged; the improved copy was circulated by the Reformers, as a proof that Rome was the great custom-house of sin, and the cheat was greedily devoured by the prejudices of their disciples. He says in his note: "The principal editions of the Liber Taxæ Cancellariæ, are those given by Pinet and Banck, and both were censured as spurious at Rome and Madrid."

The insertion upon the index *depravata* is a charge of forgery by a public tribunal.

You tell me that I offer no direct testimony; I answer that I give that sort of testimony which is generally found sufficient, and generally the only kind which can be adduced in such a case. 1. That he edited and published a book containing the fabricated matter. 2. That as soon as could be reasonably expected, the competent public tribunal denounced it as a fabrication, 3. That there is no evidence of its having been previously published or known. 4. That the Catholics everywhere protested against the fabrication, and charged with lying and calumny those who imputed to them the crimes charged in the fabrication. 5. That Pinet does not exhibit his original, nor refer to it, nor describe it, so that it could be identified. 6. That he was a virulent enemy of those whom the publication vilifies; and 7. That he published several other fictions as true history. I should tremble for myself if I were arraigned before your reverend friends in this city, upon a charge of forgery against a Protestant church of any denomination, and that you were to conduct the prosecution, and had such a case to make out against me. Something perhaps remains to be said on the third of these heads.

You say Bayle asserts the existence of former editions. I never denied that he made the assertion: but I think I showed that it was unsustained by evidence, and I shall show that it is not upheld by your new witnesses. Lingard says (Tracts, note pp. 114, 115):

"Bayle (and I believe it is to Bayle either mediately or immediately, the most of our adversaries are indebted for the knowledge which they display on this important subject) observes that it is difficult to explain the great differences between these two editions, (Pinet's and Banck's,) to understand the real value of the moneys they mention. He adds that there are also several editions given at Paris and Cologne; but he, it appears, was never able to meet any of them; I have been equally unfortunate."

Bayle, then, has no testimony of his own upon the subject; he reasons, if you will, upon the testimony of other witnesses; we have that testimony; our business is with that, not with him.

You say that upon a bibliographical point, to which *special* pleading has degraded this discussion, he is acknowledged authority all over Europe. Sir, I never was aware of any other discussion than that to ascertain whether the Roman Chancery had passed the statute to which you alluded. You undertook to prove it by producing the book, and the discussion naturally became a question of bibliography, viz.: were there such books as you alleged? Were they authentic? Do they give evidence that the Roman Chancery enacted the statute? You may wish to rove more at large; but I cannot consent to go out of the evidence. I have nothing to do with Bayle until he gives some testimony which would affect the case. He has given none—he is a reasoner, not a witness. Sir, it is a common assertion with gentlemen in your position, that infidels are impartial between Catholics and Protestants. I am far from admitting the truth of this. It has been frequently observed that uniformly they aid the latter against the former, and for a very natural reason. Their object is to destroy Christianity; should they succeed in bringing the larger portion of the Christian body into contempt, the victory over the smaller would be greatly facilitated. It would require but a farther application of the principle by which the infidel would overturn the Catholic, to demolish the Protestant. Hence the efforts of Gibbon, Hume, Voltaire, Rousseau, and all that school are carefully directed against Catholics. Besides, Bayle had special hatred to Catholics, because of the exile which he suffered under the laws of France for returning to the profession of Protestantism. These are my objections to placing myself under his authority.

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Now, sir, you tell me there is full proof of an edition long before Pinet's. This is really the proper question. Your first witness is Abbe Richard. You say that "he admits the tariff of sin in 1320." I know nothing of him, but what Bayle relates in his notes on Banck. You probably know something more, for you inform me that Jurieu preached in Paris, as I apprehend your expressions; I was not before aware of this. However, as I like to have your own words under my eye, I copy them here.

"Abbe Richard, in Bayle's time, and in Paris, where certainly the matter could have been settled, when Jurieu preached against the abominations of the Tax-book, and produced an ancient copy, did not for a moment attempt to say it was a forgery; but admits the guilt of the Chancery, and informs us when that Court commenced to issue the tariffs for sin, viz., 1320, and rests his whole defence on denying that the Church could be held responsible for the acts of the Chancery."

Now, suppose I grant the whole of this to be true. I do not know that it will prove more than that Abbe Richard, whoever he was, made a mistake. Jurieu died in 1713, at which period a copy of Pinet's edition would have been one hundred and forty-nine years old. You would call a book printed in 1713 an ancient copy, and yet it would not be more than one hundred and twenty-six years old. It was long previous to this upon the Index at Rome, at Madrid and in Paris, as a forgery, *depravata*. One hundred years previous to this, we have evidence that the Catholics everywhere denied the truth of the charge, and that it was usual to suspect as liars and calumniators those who alleged that there was such a tax. And yet the good Abbe had nothing to say to Jurieu, only that it was as old as 1320, but the church was not accountable for it!!! Should I make you a present of the Abbe you would gain nothing by it.

But from the extract which Bayle furnishes, it would seem that the question between them was whether the whole church was not criminal, because the Tax-book of the Chancery contained iniquitous items, and that Richard answered no: the church is only accountable for its laws and its canons, but the book of Chancery taxes not being a law or a canon of the church, she is not accountable therefor. He next states that the taxes of the Chancery did not begin until 1320, and the taxes of the penitentiary did not appear until 1336, and that both were immediately suppressed. Now this is untrue, for the regular taxes always subsisted, and are still payable for documents procured from either office. Thus, if it were asserted by Richard, he stated what was not the fact: but if, by either design or accident, by typographical error or otherwise, a few words of what Richard did write happened to fall out, and these words described that there were interpolated editions at a later period, and that they were suppressed and put amongst the prohibited works, he would have stated what was a notorious fact. The following is the extract of Bayle, and I know nothing farther of Abbe Richard, who, notwithstanding my ignorance, might have been a very great man.

"The abbot replies, that these were only *particular facts*, which had never been *authorized by the laws and canons of the Church of Rome*. We take it well," continues he, "that M. Jurieu gives an account of the taxes from an old book of Chancery of Rome. But is it not extremely ridiculous to make a book of taxes pass for the laws and canons of the church? Would it not turn the civil law into a mere fable, to insert the fees of executioners into the code, and place them among the laws? Would not this do a great honour to the gentlemen concerned? Let M. Jurieu learn then what the laws and canons of the Church of Rome are: and let him know in the mean time that these old taxes of the Chancery of Rome are not only of no authority in the church, but that she has always abhorred them. These taxes of the Chancery did not begin till under the pontificate of John XXII., about the year 1320: and the taxes of the penitentiary did not appear till towards the year 1336, under Benedict XII.; and both of them were immediately suppressed, and afterwards ranked amongst the prohibited books, according to the observation of the Sieur Dumont, who published them in 1664: which shows sufficiently the abhorrence which the Church of Rome had for those taxes; so far was she from proposing or holding them as rules as M. Jurieu would make us believe. Let him know, then, that the actions of the officers of the Court of Rome are only the action of particular men and not of the church."

Thus we have no proof that Jurieu's copy preceded 1664, and Richard proves no copy at all, nor does he tell us what the taxes were in 1320, or at any other period. Thus Abbe Richard, though he admits as I do a tariff, in 1320, does not prove your statute, nor your tariff, nor the tariff of sin.

You then tell us that Dumont, and two clerks, and the Secretary of Bois le Duc establish that of Rome in 1514, and that of Cologne in 1515. I doubt much if our

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readers will admit that of Rome as proved by them, your imaginary affidavits notwithstanding—and this grouping of witnesses and facts appears to have perplexed even your clear understanding, for you must recollect that neither the secretary nor clerks said or swore one word respecting that of Cologne. The preface of the bookseller is all that we have for that. And as to the effort to clothe with the semblance of official authority this transaction concerning the Roman edition, I would ask any plain man, of how much value would be the testimony of the corporation of Beaufort that they had compared word for word, and found a perfect agreement between the copy of an act passed by the Parliament of Paris, in 1689, and a copy of it printed in Beaufort this year, unless they had unquestionable proof that the copy said to have been printed at Paris was really an exact copy of the act? Thus there is no proof for the alleged editions of Rome or of Cologne.

"Drelincourt and D'Aubigne prove that of Paris of 1520." I must leave it to our readers to determine for themselves. I say neither of them does. Not is there any proof for it. The Catholics everywhere denied it. D'Aubigne gives us by his commentator 1570. Bayle tells us it was a typographical error, probably for 1520. This edition is not proved.

"Banck proves that of Cologne in 1535." If Banck's word be proof, we may believe that in 1651, that is, one hundred and sixteen years after that period, and eighty-seven years after Pinet's edition, he had a book purporting to have been printed then and there; I am not disposed to receive his word as evidence, and even if I were so disposed, his testimony comes a century too late.

"Drelincourt proves that of Paris, 1545." Just as well as he proves that of 1520, which is not at all.

We have now a new witness and of portentous aspect: "1546 is the date of the Council of Trent, and the protest of the Protestant princes; and in their protest they insert a copy of the tariff." (This Bayle supposes to be the copy which Pinet followed, as "they agree precisely.")

Sir, in cases of this description, accuracy of dates is very necessary, and however little it may be satisfactory to either of us, I must "consent to follow you into these sorts of criticism," for though they do consume time, they do contribute everything to truth: and though my occupations are such as to leave me little time, and to expose me to perpetual distraction and successive interruptions, I must endeavour to get through your statement as well as I can.

In the present instance I was astonished at your inaccuracy. It is true that 1546 is the date of opening the Council of Trent, but it is not the date of the protest; nor do the princes insert a copy of the tariff in their protest. Bayle himself tells you they presented their grievances in the Assembly of Naumburg, where Pius IV. and Ferdinand (then emperor) exhorted them to be present at the Council of Trent, by themselves or their deputies. Pius IV. became Pope in 1559, that is, thirteen years after you say they made the protest against accepting his invitation. Though Charles V. abdicated in 1556, yet the princes of Germany not having accepted the abdication until 1558, Ferdinand was not until then received by them as emperor. Pope Paul IV., refused to recognise him, and Rome acknowledged him only after the accession of Pius IV., in the next year. In 1560, the Pope published, on the iii. kal. December, (29th November,) the bull for reassembling the council at Trent. A great number of the leading Protestants of Germany, seeing a copy of the document, and having met at the marriage of the Duke of Lunenburg, resolved to hold a diet at Naumburg in Saxony on the 29th of January, 1561.

The Pope had sent two legates, Commendon, Bishop of Zante, and Delfino, Bishop of Pharo in Dalmatia, into Germany to extend the invitation. After having seen the emperor, at his request, they went, accompanied by Otho, Count of Eberstein, Felix Bogislas, Baron Assenstein, and William Meela, keeper of the seals of the kingdom of Bohemia, as ambassadors from the emperor, to request the princes who were to assemble at Naumburg, to attend the council. Leaving Vienna on the 4th of January, they did not arrive at Naumburg until the 28th. They found the Protestant princes, with the exceptions of John Frederic, Duke of Saxe-Weimar, assembled. After some delay the legates were coldly admitted to address the Diet on the 4th of February. The ambassadors of Frederic had been previously officially informed by the princes, as Fra Paolo states: That they thanked the emperor for his invitation: that the princes would not refuse to send representatives to a council in which the word of God should be the judge, in which the bishops should be released from their oath of fidelity to the Pope, and in which Protestant divines should be entitled to vote: but that as the Pope admitted into his council only bishops who had taken this oath, against which the princes had always protested,

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they believed it would be very difficult to accede to the emperor's request. They begged that this might be respectfully communicated to the emperor, but that they would defer a final answer until they would have communicated with their absent friends. The legates had left their briefs with the Diet, and they had not arrived at their lodgings more than a quarter of an hour, when messengers from the assembly came to return the documents with the seals unbroken, stating that during the presence of the legates, the envelope had not been removed; but when it was, the princes found that the Pope addressed them as "his dear sons;" which relation they disclaimed, as also his right to call a council. Fleury and Fra Paolo are here a little at variance: the first says, "in a quarter of an hour;" the latter says, "next day." Courayer corrects Fra Paolo in the next statement; that the Diet invited the legates to return for their answer, and agrees with Fleury, who informs us that on the 7th the princes sent a deputation to inform them, that they recognised in the Pope no jurisdiction, and had no need of giving him any explanations for not attending his council. Fleury details the discourses between the legates and the commissioners, in which mention is made of much superstition and corruption, but not one word of the Tax-book, at this period, fifteen years after the date which you assign, and three years before Pinet's edition appeared.

Now had you proved that at this period the German Protestant princes published an edition of the Tax-book, what would be the consequence? You would have proved to me that my opinion of Pinet was incorrect, because you would have removed the imputation from him and fixed it upon the princes, who would then be chargeable with the fraud, unless we had evidence not yet furnished that they copied it from an authentic document.

But, sir, you must be aware of another difficulty which you would have to remove. You would have to show the world that this assembly at Naumburg of Lutheran princes, with their councillors and divines, should be relied upon as good witnesses of what was an authentic document of the Roman Chancery in, we will say, 1514, when they were incompetent to satisfy themselves which of four copies of the confession of their own faith, differing from each other, was the authentic original, presented at Augsburgh, to Charles V. in 1530.

I quote Fra Paolo in preference to the other authors, except where I especially mention others; and you or any of my readers can refer to his history of the Council of Trent to examine the truth of my statements, as the haste in which I write, and the other duties which press upon me, as well as the desire of brevity, prevent my making special and precise extracts. Upon the crowning of Maximilian at Frankfort, on the 30th November, 1562, the Protestant princes presented in a body the reasons why they called for what they styled a free council, and the conditions which they required, and upon which they would consent to attend. They were, 1st. That it should be held in Germany. 2d. That it should not be called by the Pope. 3d. That he should not preside, but have his place like other members, and be subject to its decree. 4th. That the bishops and other prelates should be free from their oaths. 5th. That the Holy Scripture, without any human authority, should be the judge of this assembly. 6th. That the theologians of the Confession of Augsburgh should not only have the right of debate, but of deliberation and vote; and that they should have safeguard for their person and the exercise of their religion. 7th. That the decisions of the council should not be made as in lay-assemblies by the majority of votes, but by the better opinions, though of the minority; that is, the most conformable to the word of God. 8th. That all which had been hitherto done at Trent should be regarded as null and void; this assembly having been partial, celebrated only by one of the parties, and not conducted as had been promised. 9th. That if the council could not terminate the religious differences, there should be an inviolable adherence to the conditions agreed upon at Passau, and the religious peace established at Augsburgh in 1555, and that all should be obliged to its observance: and 10th. That for all the above conditions a full and complete guaranty should be given.

Fleury (Year 1562, Liv. clxii. N. 54), gives from Sponde the reasons upon which this protest was founded. The sixth charges Rome with vices and crimes, and, therefore, she ought not to be allowed a judicial place. The seventh charges Rome with simony and the sale of everything sacred. Thus, though the charges which had been repeated from the beginning were again brought forward, we have no mention of a Tax-book in this act of theirs.

The ambassadors of the emperor urge upon the council a variety of topics to meet his wishes for their conciliation; the discourses and memoirs are found in the acts of the council by Labbe, and in a collection of the authentic documents of the council,

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in 7 vols. 4to, which have been placed in the library of the Seminary by the Hon. H. S. Legare,—and in no one of these is there any allusion to their having mentioned *the book*, though they exhibit their declarations and protests against the venality and simony of Rome.

Bayle informs us, that at Frankfort they appointed divines and political counsellors to draw up a book to justify their acts, their protest, and their refusal to attend. Fleury informs us, that this book was subsequently printed at Frankfort. The committee was not appointed until the end of 1562, or the beginning of 1563; and at this period, we have no evidence of the existence of an edition of the "Tax-book," nor of the "Statute of the Chancery." Now, even if this book, drawn up by the committee, should contain either the copy of an edition of the Tax-book, or items of the tax, it would be no evidence that the protest of the princes contained either, because the book was not the protest, but was, as Bayle calls it, "a book in which these grievances were *enlarged*, explained, and defended." Bayle informs us that Tuppius translated into Latin a German book, which the princes of the Augsburgh Confession had composed, in order to justify themselves for not submitting to the Council of Trent. The epistle dedicatory of this Latin version is dated at Strasbourg, March 31, 1565,—that is, more than a year after Pinet's edition had been published at Lyons; and we have no evidence to show that the German had been as yet printed, for he is stated to have translated, not a book "published," but a book "composed."

And though reference is had to the authorities upon which its statements rest, as will be seen in Tuppius's advertisement, "Scripture, writings of the Fathers, the Commentaries of school Divines, Canonists and other writers,"—not one word is said of a copy of the "Chancery Tax-book," though it would have been the most important document of all. The following is the translation of the advertisement, afterwards the title.

"These grievances in defence of the pure and orthodox religion, were first proposed in the assembly of the princes at Naumburg, then repeated and offered to the emperor in the public Diet of the Empire, held at Frankfort, for the election and coronation of the King of the Romans; and at last, at the command of some of the states of the empire, are illustrated by several divines and political counsellors appointed for that purpose. with a fuller explication of each head, from the testimonies of Scripture, the writings of the fathers, the commentaries of school divines, canonists, and other writers, collected long ago to that end with singular diligence, and contained in this book, which may be continued down to posterity as a monument of the zeal of these states for religion and the republic."

TITLE OF THE BOOK.

"The grievances opposed to the restoration and continuation of the Council of Trent, appointed by Pope Pius IV. in 1562, and to the decrees of the said council; in which grievances are represented the necessary and weighty reasons why the electors, princes, and states of the empire, who embrace the Augsburgh Confession, would neither own, nor be present at that council."

Bayle himself complains of one charge against Leo X., for which no authority is cited, and remarks: "It is a little strange that no authority should be cited for it; and that in a book of this nature, facts should be advanced which are known only from vague reports."

He tells us that "The observations on the tax of the apostolical chamber have not been spared, and are concluded with a long detail of the articles of that tax." Bayle does not, however, refer for them to the edition of 1565,—if an edition appeared even so early, which I much doubt,—but to pages 79 and 89 of the edition of 1597; that is, thirty-three years after Pinet's work was published.

Bayle does not say that it quotes any edition, or purports to be a copy of any edition of the Tax-book; but he says, "This detail *might pass for an edition* of the *Taxæ Sacræ Penitentiariæ;* and it is upon this foot Hunnius gives it, by inserting it in the preface to his book *De Indulgentiis*, printed at Frankfort in 1599, in 8vo."

After this, you will not expect me to admit the truth of your statement: "1546 is the date of the Council of Trent, and of the protest of the princes, and in it they inserted a copy of the tariff." Now, as the first *proved* notice of the articles we have was published in 1597, it is much more natural to suppose that the publishers copied the edition of Pinet, published thirty-three years previously, than that the said Lord of Norroy copied what was published thirty-three years after he wrote!

Bayle himself admits that it was not "a copy of the tariff," as you call it, when he writes this detail *might pass* for a copy of the *Taxæ Sacræ Penitentiariæ*.

Bayle says, "I had conjectured that Du Pinet had followed the edition inserted in the book of the Protestant princes of Ger-

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many. This conjecture is well founded, as I have verified since." We shall see the grounds of that conjecture.

In his article on Banck, after quoting an extract from Pinet, he observes: "I imagine that Du Pinet followed the edition which the Protestant princes caused to be inserted in their causes for rejecting the Council of Trent, and which is entitled Taxæ Sacræ Penitentiariæ." We have before seen that, instead of calling it "an edition," he tells us that it was a detail which "*might pass for an edition;*" and he next refers us to Heiddegar, who was not born until 1633, showing that he gave some extracts from the Frankfort detail, which are exactly like the work of Pinet, as if it were difficult to find a similarity between what was framed in 1564, and [that which] could have been copied from it and published in 1597, or in 1565, if you prefer it. And next he tells us that some persons observe that "the *epitome* of the tax of the Chancery is to be found in p. 603," of another work explaining the reasons of the Protestant princes. I have no doubt of it, but what does it prove? Or if he brought fifty others, such epitomes are no proof of an edition previous to Pinet's; Bayle gives us no other reason for his assertion that Pinet copied the edition alleged to have been given by the princes, and in these statements we find only an agreement—but no evidence of this addition to the protest of the Protestant princes having existed until after 1664. But suppose that, against all that I have adduced, they did both appear in 1664. Frankfort and Lyons were not so distant, nor Pinet and the committee such strangers, as not to have been capable of acting in concert, and then they must share the disgrace between them; or even if you had proved that their publication preceded his, you would only have transferred the whole burden from his shoulders to theirs—and I should have called them, not him, the fabricators. Theirs is said to be the tax of the Penitentiary, his of the Chancery; his was published early in 1664. We have no evidence of the tariff upon the book of their committee previous to 1597, which is fifty-six years later than the date you gave. Now, sir, I have done with the Protestant princes. You have no proof from them to save the Lord of Norroy.

As to Banck's proving an edition of Wirtemberg, in 1558, I apprehend you have been misled by my mistake, which I corrected in my last letter. He has proved no such edition.

I come now to your last witness.

"About 1555, Claude D'Espence flourished, and he admits the Tax-book as existing *for some considerable time.*" You previously describe him as a "most distinguished Roman Catholic, whose piety and magnanimity, must command the admiration of all." His testimony consists of two portions, one of which bears directly upon this case, viz.: "There is a *printed* book, which has been publicly sold for a considerable time, entitled 'the Taxes of the Apostolic Chancery,' from which a man may learn more enormities and crimes, than from all the books of, &c. &c. And of these crimes, there are some which persons may have the liberty to commit for money, while absolution from all of them may be bought. I refrain from repeating the words, which are enough to strike one with horror." The only portion preceding this, describes a number of shameful dispensations for money. My present business is with the passage regarding the book: and the first question is whether it was written previous to Pinet's publication in 1564. D'Espence went to Rome in 1555, and remained there for some time, much respected, and declined the offer of a cardinalship, which would not have been made had he then been the author of a book which was thought worthy of censure, and fit as such, to be placed on the Index. The offer was made by Paul IV. before the year 1559. He appeared to advantage in 1560, in the meeting of the States at Orleans. In the next year he was at the conference of Poissy on the part of the Catholics, to manage the conference with the Protestants, and went as far as he could for their accommodation, though he did not trench upon the Catholic faith, and for ten years subsequently he does not appear to have been employed. I believe that you will find the work from which you make the quotation, was written not long previous to his death, and upwards of six years after Pinet's book was printed and publicly sold, for a consirable time—and it was placed on the Index, not the original list made by order of Pope Pius IV., and completed in 1564, and upon which it would have been placed had it then been published, but upon the appendix under Sixtus V., between 1585 and 1590, and which may be seen at the library of the Seminary of this city in the following words:

Claudii Espencæi Commentaria, de continentia et in Epistolam ad Titum, with this mollifying addition, *nisi corrigantur*. My authorities are Bossuet, Feller, Aiken, and the Index.

The only result that would follow from your establishing that this work was published in 1555, would be to save Pinet and to throw the disgrace of the fabrication on another—but it would not have proved your

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statute, nor of course sustained the allegation of the memorial.

As I have no more of the quotation than what you are pleased to furnish, I may be allowed to remark that your two &c. &c., come in a very awkward part of the quotation. I found that one &c., even in your own hands, made for myself not exactly what I said, and a pair of them in the middle of such a quotation, carry some suspicious appearance. I have some indistinct recollection of this passage, but I shall not venture to make any observations founded on such an imperfect ground, because my memory is not so faithful as to enable me to publish here an exact copy of what I perhaps got a sight from the lecturer of some college in Rome.

I have now gone through the array which you produced to save the historian of the Prince of Tric, perhaps at the expense of other princes, and must leave it to our readers to decide for themselves upon what we have both laid before them.

I have several other and indispensable duties to which I must attend. I must, therefore, request a day's indulgence, and for which, of course, I should dread to offer you even the fee of the Tax-book, as I would not desire to shock or insult you. I shall endeavour, after that which I expect from your kindness, to make my disposition of what remains of your letter.

I have the honour to be, Reverend Sir,
Your obedient and humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 2, 1839.

(From the Courier of Sept. 5, 1839.)

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—In searching for authorities to sustain, by more than my own assertion, the distinction between the Chancery and the Datary and the Penitentiary, I have met with the passage of D'Espence, which I thought I had seen more than once before, and am able to fill up the &c., &c. I there find that the words for which they were substituted do not change the nature of the quotation,—nor do they weaken my argument, as I trust I shall show, when I shall proceed to exhibit that there were great abuses and corruptions in the proclaiming of indulgences, and in the granting of dispensations, and absolving from penalties, (not from sins,) and that the great efforts of the church had been directed, previous to what you call the Reformation, to the remedy of these crying evils. I have also searched for and found the original decrees of Pope John XXII., establishing the rule for taxation in 1320, and the true title of the Roman edition of Silber's Tax-book in 1514. All which are at the service of any person who wishes to come and read or copy them.

I now proceed to your effort to show that the Chancery was the proper court for enacting "a statute making assassination, and murder, and prostitution, and every crime subjects of license and taxation, and regulating the price at which each might be committed." I pass over your general remarks. You say that you show by my own admission, "that the Chancery is the tribunal from which alone the taxes could have issued."

I stated, you say, that one of its present duties was "absolution from ecclesiastical censures, viz.: excommunication, suspension, &c.," but "not from sins." I did; and for our present purpose it is unnecessary to enter into proof that in this respect its duty is ministerial, not judicial. My words were that it "had cognizance of the causes"—but the phrase as applied to the Roman court, has not the same meaning as it has in our courts, where having cognizance of a cause means having jurisdiction and judicial authority. In Rome, it means receiving the petition or appeal, examining its merits, preparing a brief of its nature, reporting it, together with its merits to the Pope, receiving his decision, recording it, and giving a certificate, or other document thereof in the proper form to the party: and the different nature of the courts, creates necessarily this distinction. It would be an idle exhibition of Roman jurists and canonists for me to spread out references to prove this. I shall, however, place the books in the hands of any one who questions the truth of my statement. You next proceed to say what I admit, that an "*indulgence is not a license to commit sin, neither is it a mode of regulating the price at which sin might be committed, nor is it absolution* from a sin already committed." Hence, you conclude, that indulgences come not within the jurisdiction of the Penitentiary, but of the Chancery. Sir, they come within the jurisdiction of neither one nor the other, and your conclusion is bad, because your enumeration is imperfect: there are other tribunals besides those of the Penitentiary and the Chancery, and they belong to one of those others. You cannot forget that I told you of a *dozen or two dodging places;* I acknowledge that I am shut out of the Penitentiary, but you have not got me into the Chancery, because I have got *the other dodging places* open to me.

Now the remainder of your argument has

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no hold on me, for it proceeds upon the assumption of what I have never admitted, but which I shall now examine. Your effort is to identify an indulgence with an absolution from excommunication: and that as absolution from excommunication was an attribute of the Chancery, of course an indulgence was within the jurisdiction of this tribunal. You must recollect, sir, that I always denied that an indulgence was "a statute, making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, and regulating the price at which each might be committed." So that if you should even prove that indulgences come within the jurisdiction of the Chancery, you would not have proved your case.

You quote Mosheim to show that indulgences, in their origin, were nothing more than a remission "of the temporal consequences of sin." To a certain extent I not only admit that they were so in their origin, but that they never were or could be more. Such, sir, is now, and always has been the doctrine of the Roman Catholic Church. You attempt to restrict these temporal consequences of sin to "suspension and excommunication from the church." Here is the point of our difference. You quote Faber to sustain you: "Faber correctly says that they were only at first 'a shortening of the period of excommunication.'" This I do not admit; and Faber is not authority for me. But this is not the place to discuss the merits of this question. All that is necessary to overturn your assumption, is to show that in Rome an indulgence was considered to be a very different matter from an absolution from excommunication, and therefore that the granting of the latter was not bestowing the former. This is shown by the notorious fact, that is, notorious to any person at all acquainted with our doctrine and practice, viz., "That a person under excommunication is incapable of receiving an indulgence." You will find this in every Catholic treatise on either indulgence or censures. St. Thomas of Aquin, born in 1227, one of our best doctors, writes, (4ta. dist. 20, quæst. 1, art. 5, quæstiunc 2,) "nec pœnas, quæ in foro externo et contentioso sive Ecclesiastico, sive seculari infliguntur, indulgentia tollere possit." "Nor can an indulgence remove the penalties which are inflicted in the external and contentious court, whether ecclesiastical or secular." Now excommunication, suspensions, and the like, are penalties inflicted in the external ecclesiastical court—and they cannot be removed by the grant of an indulgence: evidently, therefore, it was the doctrine of the church to which St. Thomas belonged six hundred years ago, as it is to-day, that an indulgence was not an absolution from excommunication, nor a shortening of a period of excommunication. And Cardinal Bellarmine, who was born in 1542, and died in 1621, gives us additional reason, (De Indulg. Lib. 1, Cap. vii. Prop. 3,) where he tells us that all writers agree on this, "because the penalties of the external court are inflicted for the good of the common weal, that the wicked may be deterred from their sins, and that good men may enjoy security. Moreover, indulgences are granted only to penitents and persons reconciled to God; but these penalties of the external court are inflicted chiefly on the obstinate and rebels. Finally, indulgences, as has been said, take the place of penitential satisfaction; wherefore they do not remove any other penalty than that which we owe in the secret and penitential tribunal." "Siquidem pœnæ fori externi propter beneficium Reipublicæ infliguntur, &c."

Thus, sir, it is not true that "both the history of indulgences and my admission show the Chancery to have been the proper bureau for a tariff regulating the prices of indulgences." And though you should have proved even that, it would not have sanctioned the original assertion, for it would still remain to be shown that this tribunal "passed a statute making assassinations, and murder, and prostitution, and every crime, subjects for license and taxation, regulating the price at which each might be committed." And again, I must remark that you would have failed in showing it to be a *license*, for excommunication or any other censure cannot be incurred until after the crime for which it is a penalty shall have been committed, and absolution is given to remove a penalty which has been incurred; and it would be rather strange to find a man applying to-day for a license to commit a crime last week. I have seen a foreigner, who could not be blamed for not knowing our language, laughed at, for asking a companion—"Will you ride out with me yesterday?"—and quite unconscious of their mirth, he continued, "to-morrow was a very pleasant day." Sir, you make a mistake in imagining that the popes and bishops taught that indulgences *remitted sins*, though you are quite right in stating that indulgences were abused. The phrase which you and others thus misunderstand is a technical one in the Roman court, and, I acknowledge, is very liable to misinterpretation; and I always considered it, as I still do, to be on that ground very objectionable. To the ordi-

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nary reader it seems to convey the meaning of remitting sin: in technical parlance it means only to remit those temporal consequences of sin, which we believe to be removable by an indulgence.

I mean nothing offensive to you in illustrating the expression by another, which you very distinctly understand. I recollect, at an early period of my life, in the year 1798, the part of Ireland in which I then lived was subject to military rule. All criminal cases, be the offences what they may, were tried by the officers of a court-martial; but in all cases, except offences against military law, and acts of rebellion, they were directed in their sentences to conform to the criminal code. Some unfortunate robbers were tried, convicted, and sentenced to be hanged. Moved by the fear of death, they desired the assistance of a clergyman; but when he went to the prison he was refused admittance, and upon demanding the cause, he was told that such were the express orders of the court. The bishop, at the request of the priest, waited upon the president of the court, a brave, generous, and noble-hearted colonel of the line, who received him courteously, and upon learning the cause of his visit, shed tears, and said that he was greatly afflicted himself at what he could not but consider unnecessary cruelty; but that he had no choice, and he was very sorry for it, the statute positively and too plainly declared, in so many words, that they must suffer death *without the benefit of clergy*. He had looked through the book in vain, with the aid of other officers, to try whether their case might not be brought within that class in which benefit of clergy could be allowed; but alas! their search was fruitless: the more closely they searched, the more were they convinced that a priest could not be admitted. He was, however, quite relieved, when assured by a respectable lawyer that it was a technical phrase, whose meaning really was not what it at first seemed to be.—I assure you, sir, in sincerity, in honour, in good faith, and as I shall answer to God for the assertion, that the phrase which seems to imply *remission of sins* in our documents respecting indulgences, is a technical one, like that of *the benefit of clergy;* and with us it has not the meaning that you were led to believe—of that, however, more hereafter.

I should hope, sir, that you have now some doubts that your demonstration was mathematical. Now, sir, that you should not suppose this to be a mere assertion of mine, and I have before assured you that with us an indulgence is not a remission of sin, I refer you to Bellarmine, (Cap. iii. De Indulg. Lib. ii. Cap. iii.) where he is answering a passage from No. 39, ch. 9, of Calvin's Institutes.—"Porro indulgentiæ non remittunt culpam, neque lethalem neque venialem, sed solam pœnam eamque temporariam." "Moreover, indulgences do not remit guilt, either deadly or venial, but only the penalty, and that temporary." This, however, is straying from the true question, which is the enactment of the statute by the Roman Chancery.

To keep me still in Chancery, however, you object to the account I gave of the case of Parrhasius. You confound a dispensation with an indulgence. My acquaintance is extensive with Protestants, both on the other side of the Atlantic, and on this. Many of them are to me dear and kind friends, from whom I have received valuable favours. I have frequently held friendly conversations with them upon the subject of religion, and I have read, as a matter of duty, rather extensively, the writings of Protestants on the subject of religion. I assure you, sir, that I scarcely recollect, at this moment, three who I believed knew what was with us an indulgence, and the difference between it and a dispensation. I trust I shall have an opportunity of explaining it—but this is not its place.

The case of Parrhasius has nothing whatever to do with an indulgence: it was altogether a case of dispensation, and as we call it in *foro externo* or the external court—that is in ecclesiastical matters disciplinary regulation—you translate the French word *dispense*, which is also technical, "indulgence,"—the proper technical French word for which is *indulgence*. Bayle's translators give the accurate and proper word "dispensation." Upon this ambiguity you try to carry the case to Chancery, as a case of indulgence which you also have incorrectly imagined to be a Chancery business. In his own Latin, Parrhasius uses the proper technical word for "a rehabilitation."

You told me "it was not so" when I stated that it was a case of "rehabilitation for two clandestine marriages." To a certain extent you are right, for although there were *two* clandestine marriages, Parrhasius only asked for the rehabilitation of *one*, and you call that one "a *secret* marriage." You say "it was not so; it was a case of incest committed by a niece of Parrhasius, of which the guilty couple endeavoured to escape the punishment by a secret marriage. That, however, could not shelter them without the Pope's indulgence." You give the French word *dispense;* Bayle's translators give us, "this was not sufficient to

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free them from danger unless the Pope would grant them a *dispensation*." I can scarcely think that you have read Bayle's statement, and that of Parrhasius himself, when I look at your mode of treating it, or I must believe that you are altogether unacquainted with the discipline of the Roman Catholic Church, and the laws of Europe.

The case was originally one of incest. A niece of Parrhasius had been married to a lawyer; she died. The widower had criminal communication with a surviving sister: by the laws of the land, they were liable to death, for the crime was a capital offence. Her pregnancy would lead to detection. In this state of things, the guilty pair attempted what you call a "*secret* marriage," what the translator of Bayle calls a "*clandestine* marriage." What is the difference? Were they validly married, they could plead the marriage in answer to the capital charge. If there was no marriage, there was no defence, and they were liable to death. The clandestine marriage was no marriage, because they were incapacitated by law from making a valid contract, by reason of their affinity.

The Pope had the power of dispensing from the operation of the law, and thus enabling the parties to make a contract; that is, in technical language, to rehabilitate the clandestine marriage—and this being done, they could plead the marriage to bar the prosecution.

Now, the request of Parrhasius was to get this dispensation, and in his petition, he requested that a penal fine should be imposed upon the delinquents, and that a dispensation should be granted. The Datary was the proper tribunal for examining the application for dispensing, in cases of marriage impediments, and returning the answers: whenever a fine was imposed, it was there determined what should be the amount. The business of the Chancery was to examine the grant, to rectify, to register, and to engross the papers; and the fees therein received were a fixed compensation for the trouble, the time, and the labour, proportioned to the quantity of writing, and not to the nature of the business.

Parrhasius, after giving the history of their crime and their danger, goes on—"Nisi Deus aliquis eos aspexerit; id est a summo Pontifice veniam incestûs in scriptis impetraverint: ut furtivum dedecus professo matrimonio diluatur. Ad hanc rem velim omnes ingenii tui nervos intendas, utarisque gratia ac auctoritate Lascaris, Phædri, Citrariique et omnium denique amicorum: ut exleges has nuptias, ad evitandum paratæ cædis periculum, Pontifex privilegio, justas ratasque faciat, indicta pro copiarum facultate mulcta." "Unless some God will look with pity on them: that is, that they shall obtain in writing from the Supreme Pontiff, pardon for the incest, (had he stopped here, you would have been correct, but what follows shows the mode in which it was to be effected,) that this clandestine disgrace may be washed out by an open marriage. For this object I desire that you would exert your best powers of mind, and that you would use the favour and power of Lascar, of Phædrus and of Citharus, and finally of all friends; that in order to escape the danger of the enacted death, the Pontiff would, by a privilege, (that is a dispensation or derogation from the general law, make for the parties a *privata lex*, or special law or privilege) *make this marriage good and valid, inflicting a fine according to the means*." He then complains of his difficulties and urges that the fine should be as low as possible.

Thus, sir, I apprehend, it was a case of matrimonial dispensation, removing the impediment of affinity, so that a clandestine marriage should be rehabilitated, and thereby incidentally the parties might be saved from the consequences of incest, not by granting them license to commit it, nor by granting them pardon of the sin, but saving them from criminal conviction in court of law and from the penalty of death. The tribunal of the Datary, which had charge of those dispensations, regulated the amount of the fine. The officers of the Chancery prepared the papers, registered them, gave the proper documents, and demanded the fees they were entitled to, for their labour, according to their fee-bill or Tax-book. Parrhasius obtained the dispensation, and was told to bring the amount of the fine with him, when he came to Rome. All this might have been a wicked transaction. I neither defend nor condemn it, but I did assert that the case was one for the rehabilitation of a clandestine marriage—(I wrote *two* by mistake, as two were mentioned, though only one dispensation was sought, the other marriage not having been invalid, though unfortunate)—and I wrote that it was not a case for the Chancery, but for the Datary, and in so stating, every one who knows anything of the tribunals will say that I was correct. If I do not mistake, even the fine was remitted.

But even if the case were different, and that the petition was to grant a remission of the penalty of death, enacted by the sovereign as the punishment of incest, it would have been a case for the Datary; as this was the proper tribunal for the management of such cases. It would be similar to an

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application to the Governor of a State to commute a sentence from that of death to fine; and this was not to be done by the Pope as head of the church, but as sovereign of the territory. But it was impossible that such a commutation could take place outside the papal dominions, for he had no sovereignty elsewhere, and as this case occurred without the papal territory, it was not an application for pardon of the penalty, but for that rehabilitation which would raise the bar to the prosecution. You are then, sir, under the most manifest mistake when you assert, "Hence, then, we find the Datary concerned, not with 'rehabilitation,' but with an indulgence for incest, which you say belongs to the Penitentiary. (I said no such thing. It would save much time and trouble not to be making for me assertions which I never made.) Here the Datary grants the indulgence, (no, sir, it was not an indulgence,) and the Datary and Chancery were, you will not deny, the same court." I am obliged to deny it, for truth will not permit me to assert it. You quote Furstiere to sustain you, by referring to the article "Datarie," in his Universal Dictionary. I have not consulted it, nor do I know what he says, because I have higher and better authority in the Jurists, whose works you may consult. I point out no one, as they will all sustain my assertion. I also know it from the officers of the court from whom I received information, when I had occasion to learn from themselves the distinction of the tribunals. The French Academy, you must be aware, also expelled your author from their Society, in 1685, on account of his dictionary; and you also know, I suppose, that Bosnage had made some additions for the Amsterdam edition of 1725, in 4 vols. folio. I now leave to our readers whether "this is conclusive evidence that the argument drawn from the nature of the court is against me."

You add that the Abbe Richard settles this point conclusively; and in adducing him you say, "he admits that the taxes existed in Rome, and that they began under John XXII., (the very Pope who I say regulated the courts,) in 1320." Sir, I never denied that there existed taxes or fees to be paid to the officers of the Chancery for their labour, their time, and their proper compensation for inspecting, correcting, copying, registering, and delivering documents. I not only admitted this, but I said that in many instances "it has frequently happened that their exactions were oppressive and extravagant, and a tax-book of fees was therefore regulated by authority; and any officer demanding or receiving a larger fee than that specified in the Tax-book incurred censures himself, and was fined heavily." Richard says the taxes began in 1320. I say they existed previously—for John XXII. in his decree respecting them recites, that, to prevent complaints, he sees proper to regulate the fees or taxes. It is found in the Corpus Juris Canonici, Extrav. Joann. XXII. Tit. xiii.—Cum ad Sacrosanctæ. This, then, is but a regulation of what previously existed. I shall make a few extracts: but I shall be happy to show the book to any who may call to see it.

"Ne murmurandi inde præbeatur occasio unde gratitudine necessitas aderat collaudandi: neve scriptura redderet onustum quod liberalitas fecerat gratiosum. Qua de re circa literarum nostrarum scripturas, registri quoque nostri, necnon abbreviatorum Rom. curiæ nostræ, illam in taxando volumus moderationem opponi, qua personæ quibus gratiæ hujusceimodi conceduntur, se gratias ipsa apostolica sede liberaliter sentiant consecutas ac literarum ipsarum scriptoribus registri etiam nostri notarumque abbreviatoribus ant edictis, qui interdum in eis etiam multo labore desudant, de suo labore satisfiat. Ad tollendum igitur excessus, difficultates, circuitus et anfractus qui passent ex variis literarum Apostolicarum taxationibus prevenire, sancimus." "Lest occasion for murmuring should be given where the necessity of approbation and praise arose from gratitude; and lest writing should render burdensome what liberality had rendered gracious:—Wherefore we desire that there should be such moderation in taxing, in respect to the writing of our letters, as also of our register, and of the abbreviations of our Roman Court, as to cause that the persons to whom such favours are granted, should feel that they have liberally received favours from the Apostolic See, and also that sufficient recompense is given to the writers of those letters, also to the writers of our register, and to the aforesaid abbreviators of the notes, who sometimes are exhausted with great labour therein. To remove, therefore, the excesses, difficulties, circumventions, and teasings which may arise from the various taxings of the apostolic letters. We do enact."

After this it proceeds to regulate certain fees for documents therein described, and then lays down the principle upon which the fee may or may not be increased, viz.: It is not to be increased by reason of the greater concession of favour, the larger income of the person who obtains the writing, but only in consideration of the greater quantity of writing, and that the additions must be moderate, fractions of lines are not

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to be charged, the price of each additional line is specified, each line must contain 120 letters, or twenty-five words. It regulates that for poor persons the fees shall be reduced considerably; giving as a cause that verse of the Psalmist: "Blessed is he who understandeth concerning the needy and the poor." It provides for the difference of coins between Italy and the nations beyond the Alps. It provides for the cases of negligences or carelessness on the part of the officers, that there shall be no new or additional charge for making a good and perfect copy where a bad or imperfect one has been made, and it enacts penalties for any exaction. This is the Tax-book of which Abbe Richard writes. You may examine it, sir. It is open to you, to your friends and the public. You may take copies and publish them. Neither you nor any other gentleman of common sense will, after having read it, conclude that the Abbe Richard, by this, proves that the argument from the nature of the court is conclusively against me. You would sir, yourself, retract the assertion, had you read this genuine Tax-book. I am quite aware that some Catholics have complained of this tariff, upon the principle that it was wrong to make any charge for what was connected with religion. I give no opinion on the subject, but merely remark that some mode should be devised for supporting clerks and other officers. They must have food and raiment.

As to your next topic, I am content to leave what I wrote concerning Luther and Calvin, and their associates and followers, and what you have written against that argument, before our readers—with only one or two remarks. I had observations to make upon your negative pregnant, but I feel that they are unnecessary and that I have been driven into great length. As to the book being known to them because it was known to the princes: you must feel now at least, that until your premises shall have been established, your conclusion cannot be drawn: and though Calvin lived until 1564, Luther died in 1546, the year in which you stated the protest of the princes to have been drawn, but which I am certain you would not now give as its date. Thus Luther was dead sixteen years before the protest was drawn up, and Calvin died the year before the book of Tuppius was printed, and thirty-three years before the publication of that edition in which Bayle informs us the passages which *might pass* for an edition of the Tax-book were found.

I shall show you that long previous to the Reformation "indignation and surprise were felt at the traffic," against which you so justly inveigh, and that they who expressed both were neither obscure nor inactive. The document from which I have given an extract, was in force nearly two hundred years previous to the first efforts of Luther. You overlook dates again when you write: "The tariff would have appeared no evil in those days. It was merciful in comparison with the gross and unbridled profligacy of avarice which Luther and Calvin saw everywhere around them, and which caused them to leave a church which practised such things." You have told us of the existence of this tariff in Silber's Roman edition of 1514, and in the Cologne edition of 1515, and the date of Luther's complaints is 1517, and that of Calvin's birth was 1509, so that this act of mercy had been done, at least, before he was five years of age.

One word as to the argument founded by Bayle and which you seem to adopt, upon the mode of entry upon the Index: *Cum sit depravata ab Hæreticis.* What were the facts? There had long existed a genuine fee bill, or Tax-book, by which the compensation of the clerks, the registers, the abbreviators was settled, so that they should be remunerated for their labour and the devotion of their time. Like the officers of our courts or offices, this was their occupation, and for this they deserved a support to be derived from some source. It was thought reasonable as our legislature thinks of our ordinaries, our sheriffs, our registers of mesne conveyance, and their clerks, that they should be supported by those for whom they did service, and to prevent extortions, a fee bill or Tax-book was enacted, not by the Chancery, but by the legislature. This book was printed and was not censured, though many Catholics complained that it had a bad appearance and that no fees should be charged, but that some other mode of compensating the officers should be devised, and that the individual getting papers should not be charged. An unfortunate religious division takes place, and some of that portion opposed to Rome interpolate this book, and introduce fabricated and disgraceful clauses. This is discovered, and surely it was not the original Tax-book, that was to be condemned and denounced, but those copies which had been interpolated, and into which the forgeries had been introduced. Hence the proper and only correct phrase was used, for whilst it denounces the depraved copies, it leaves untouched those which are authentic.

I did hope, I should have been able to conclude my reply to your letter this day. Something, however, still remains, though not requiring a great deal of observation. I

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shall give my remarks in as few words as I can, and exhibit to you what I acknowledge to have been abuses.

I have the honour to remain,

Reverend sir,

Your obedient, humble servant,

† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 4, 1839.

(From the Courier of Sept. 6, 1839.)

To the Rev. Richard Fuller, Beaufort.

REVEREND SIR:—In order to explain one of the contradictions which I charged on Bayle, you tell me that where I mentioned "rich" and "poor," nothing of the kind was said in the original; it only mentions "they who have no money,"—I really thought that they were poor; and I thought that they who were able to pay the Datary were, when compared to them, rich. Now, I did not write that "the poor were not to receive the *indulgences*," as you give it, but "not to receive the comfort of these dispensations;" and the passage which you gave from Saurin was, "take notice particularly, that such graces and *dispensations* are not granted to the poor: for not having wherewithal to pay, they cannot be comforted," (lett. of Aug. 13;) and these are the exact words in Bayle, with this addition, that after the word *particularly*, which he gives in italics, he says in a parenthesis, ("and indeed the thing deserves it.") This is my error, notwithstanding I kept closer to the text than you did; for, in ecclesiastical language, a *dispensation* is not an indulgence.

To get rid of the other charge which I made, you refer to the original, to correct my quotations. You stated that D'Aubigne says there were "Catholics who wished not to 'suppress,' but to 'extirpate' (extirper) altogether this damning book." I before told you, that I used the book in the Charleston Library, and you must blame that, not me, for the word "suppress." I copied from that Protestant translation. I am also content that your observations on my remark, concerning the variance of titles and of coins, should have their full weight.

You tell me that I "rest my whole case on proving Pinet's work to have been a deliberate forgery;" not so, sir. I have all through stated that it was *my opinion* that he was the original fabricator, but that in this I may be mistaken. At this moment, such is still *my opinion*. Should I even have erred in charging it upon him, rather than upon the Protestant princes, or some other ingenious and industrious friends, the ground upon which the case rests will be untouched, viz.: the testimony of the tribunal, publicly and openly made in the face of the world, as soon as the interpolations appeared, that they were *depravata;* the absence of all evidence, that such items were in any authentic copy, the denial of the Catholics everywhere; and I can, should it be required, add to this, that whilst in councils, and from kingdoms and states in the Catholic communion, complaints were made of all sorts of abuses and enormities, no mention or allusion is made in any one of them, to such items being upon this book, though they complain of extravagant fees, and of dispensations which in their result were considered to be equivalent to a license to continue in crime, and called for their reformation. I could add the manifest impossibility of continuing the civilization of Europe, if such a practice had been permitted, and the folly of imagining that the common sense of Christendom would have allowed its existence for one month. Dr. Lingard observes upon it as follows: (page 113, Tracts.)

"Mr. Mesurier has a third and still more powerful argument in reserve. He hopes to silence his adversary, by the testimony of a book which has long been the pride of the bigot and the polemic: has often reddened with shame the cheek of the most obdurate Papist, and, what is still of more utility to mankind, has furnished the learned, pious, and visionary Mr. Granville Sharp, with a key to unlock to astonished mortals, the secrets contained in the Book of Revelations. This book, so pregnant with important consequences, is the Liber Taxæ Cancellariæ Romanæ, or a tariff of the prices at which sins may be redeemed in the Roman Chancery, the great custom-house of human guilt. If the reader will be at the trouble to peruse the different articles of this valuable code, he will at least acknowledge that the Pope is extremely moderate in his demands, and wonder that his holiness has not employed a British financier to improve the receipts of his treasury. In England, you cannot obtain a license to keep a setting-dog, without paying a tax of ten shillings; at Rome, it seems, a man may murder his father, and enjoy the estate, for the payment of the same duty. Here, one-and-twenty shillings are demanded, for permission to powder your hair once in twelve months; there, for an equal sum, you may keep a mistress, without endangering your salvation. However, should Mr. Le Mesurier and his friend stray as far as Rome, I would not have them rely with too much confidence

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on the Liber Taxæ Cancellariæ; they might find themselves in the same unpleasant situation as the Roman nobleman, mentioned by O'Leary, who, when he was accused of having three wives living at the same time, attempted to justify his conduct by observing, that he had not been able to meet with one with whom he could be happy. 'Since it is so difficult,' replied the Pontiff, Sixtus Quintus, 'to please you in this world, you shall go and try your fortune in the other; there, women are more numerous, and you may find one to your liking.' The Taxæ Romanæ Cancellariæ could not save him; he was tried for polygamy, and executed."

You meet my statement respecting the decadence of its fame in Europe, by mentioning that Robertson is a book of education, and that it is still found upon his pages. So it will, and ought to be found, as long as his book shall be printed. You say Schlegel quotes D'Espence, in a note appended to a new edition of Mosheim. I have already shown cause, as I think, why D'Espence's reference could as well have been made to Pinet's edition, as to the uncorrupted Taxbox, which some writers conjecture to have been the object of his most harsh and undeserved remarks: to these you add Bishop Watson, in whose theological treatise its genuineness is sustained, and the Protestants reprinted it in Paris in 1820. Now, all this, notwithstanding, I must say that, in my younger days, extracts from it were in one or two of the common books of every school where I received my education, from the moment I learned my letters, until I went to college; and these schools were not exceptions to the great bulk of those in the country. Its truth was early impressed upon my mind, and it was only by long investigation that the impression was removed. In England I have been told that the case was the same. Nearly forty years have elapsed since I was a learner in those schools, and twenty have passed away since I have had an opportunity of observing them; but, in 1819, I could scarcely point out a school or a school-book which contained the catalogue. Doctor Lingard testifies for a later period. Writing of it, he has the following in page 115 of one of his tracts:

"That during a period of religious ferment, it should have obtained credit in England, cannot excite surprise: but I had thought that in the present enlightened age, it had been consigned to the contempt which it deserves. Even from Guthrie's Geography, in which it retained an honourable place during so many editions, it has recently been expunged by the liberality of the publishers, and I am happy to observe, that its present existence entirely depends on the credit of the firm of Messrs. Le Mesurier, Granville Sharp, & Co."

I recollect the time when the book used to be quoted in the Irish and British parliaments as authority. Subsequently it was flouted from these places by the research and eloquence of Grattan, of Burke, of Flood, of Sheridan, of Pitt, of Fox, and of a host of such men. This may, perhaps, excuse the boldness of my assertion.

I am far from expecting that you should at once give up your present impressions. It cannot be looked for. Yet, sir, from a mind like yours, I should expect, not immediately, but after reflection, even a concession that the evidence is not conclusive that a "statute" was "formerly passed by the Roman Chancery, making assassination and murder, and prostitution, and every crime subjects of license and taxation, regulating the price at which each might be committed."

As regards the statement of the forgeries and fictions of Maria Monk and the clergymen, I quoted them not to insult the Protestant world, nor was such my object in producing the extracts from Whittaker. It was to show that in assailing us, our tenets and our practices are perpetually represented to be what we say they are not, whilst in arguing with Protestants we uniformly abstain from charging them with any doctrine or practices which they disavow. We take their own testimony for their own belief: but we are not treated so. We never force upon them books which they disclaim, nor do we pretend to know their doctrines better than they know them themselves. Neither do we charge them with concealing and disavowing what they do believe. But unfortunately, we are not met in the like spirit, not treated in the like manner: and when documents are forged and works are interpolated, and practices are falsely ascribed to us; justice, truth, religion and honour require that we should not succumb, but that we should call those things by their proper names. Sir, I charge this upon a number of Protestant writers at various times. God forbid I should charge it upon the Protestant community. A vast number of my friends and acquaintances amongst them are men of the most sterling integrity, of the highest honour, and for whom I have great respect and warm affection. They abhor forgery, and fraud, and fiction, and would not countenance either of them. I have not the honour of your acquaintance, but from what I have learned of your character, I believe

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you to be as incapable of either of those vices as I trust I myself am. Let it not then be imputed to me that I "denounce the whole Protestant world." Sir, if you look to Whittaker's words, he makes no such denunciation; he says that "forgery was a disease of Protestantism;" this does not denounce "the whole Protestant world;"—he says "it was peculiar to Protestantism." This does not sustain your commentary. Sir, I have no disposition to enter in this place upon a vindication of the Jesuits against the witticisms and denunciations of Paschal, "who," you tell me, "was one of the most brilliant ornaments of my church." Again, sir, I must correct your mistake. I am a Roman Catholic; unfortunately, this prodigy of genius was not: he was a Jansenist, and as perfectly outside the church to which I belong, as you are. Again, sir, you are quite under a mistake in attributing the compilation of the Index to the Jesuits. It neither was nor is in their charge: its superintendence was lodged in other hands, though occasionally a Jesuit may be a member of the tribunal.

But you tell me that I say nothing "about the notorious third Lateran Council, which makes not only falsehood, but perjury, a virtue, in behalf of the church." I must avow my ignorance of the fact, and believe that you labour under some delusion upon this score. When you give me the proof, it will be to me a most unexpected novelty; until then, you must give me leave to think that there must be some serious mistake.

We think differently as to who gave occasion to this controversy; and if I have done the Church of Rome no good by it, I am under a great delusion, if thereby, I have done it as much injury as I would, had I silently acquiesced in the charge that "the Roman Chancery formerly passed a statute, making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, regulating the price at which each might be committed."

Now, sir, I feel it due to you, to our readers, and to myself, that I should give, as briefly as possible, an exhibition of the true nature of an indulgence, of a dispensation, and of absolution from censures and sins. I neither intend, nor seek for controversy, in giving this explanation, and I shall studiously endeavour to give no room nor occasion therefor, as I do not intend to assail the tenets of others, nor even to vindicate those of the church to which I belong, but by this explanation simply to show why I have so often asserted that you made mistakes, and why I refused admitting that the granting of indulgences was proof of the existence, in the Roman Catholic Church, of those rates of taxation which I abhor as much as you do. The nature of the abuses which existed, to a deplorable extent, will thence be better understood, and it will be seen that as strong, if not stronger language than that quoted by you, is fairly applicable to them, and was used by some of the best men who sustained the Roman Catholic Church.

I have the honour to remain, reverend sir,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 4, 1839.

(From the Courier of September 9, 1839.)

To the Reverend Richard Fuller, of Beaufort.

REVEREND SIR:—I now proceed to lay before our readers that view of the doctrine and discipline of the Roman Catholic Church, which will clearly exhibit the true nature of the abuses and corruption which is fairly chargeable on several of its members and some of its tribunals.

In every religious society, an individual has two relations, one to God, the other to the body of which he is a member. The laws of God cannot be modified by man: the society is to make its own regulations where God has left it freedom of action. The violation of God's law is called sin; the violation of the laws of society are offences against the body: they may or may not be sinful, but at present we shall view them only as they are violations of order. God punishes sin chiefly in a future state of existence; the society punishes violations of its order in this world: it cannot interfere with the prerogative of the Almighty, nor prescribe to him terms for the exercise of his high attributes of justice and mercy.

In the Roman Catholic Church there are two courts to which the individual is amenable, and they correspond with the above relations: the one, that of conscience—which is called the *forum internum*, or "interior court"—in which the relation towards God is discussed and decided,—the other is called the *forum externum*, or "external court," in which the relations of the individual with the society are discussed and disposed of. In the *forum internum*, the conscience of the individual is the accuser, no witnesses are called; the law of God, in respect to the sinner is the rule and the only rule of action. In the *forum externum*, or "outward court," men may accuse, prosecute, and procure conviction the laws of

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the society are the rule of action. We may now observe that the law of God alone is to be regarded in the court of conscience or the *forum internum*, and the ecclesiastical laws or those of the church, which is the society, in the "outward court," or in *foro externo*. In this latter court, a prosecutor contends for the guilt of the accused, whilst the accused party contends for his innocence, and hence it is called "the contentious court,"—*forum contentiosum*.

It frequently happens that for one act the individual is amenable to both courts, but in different ways. Thus, a person is guilty of intoxication; he has violated the laws of God, his conscience accuses and convicts him, and he must look to God for pardon upon the terms which he prescribes, or he must endure the penalty of sin: the wages of sin is death, not merely of the body but of the soul, separation from God. Pardon can be obtained only in that way which Christ established, viz.: by true repentance on the part of the sinner, and by obtaining the application of the merits of the Saviour in that way which he appointed. This is a transaction of the internal court: but the individual is amenable to the *forum externum* or the tribunal of the church for this same act, because of the scandal given to the community and the disgrace brought upon the body, and here he is prosecuted, and if convicted, he is to endure the penalty affixed to the crime. Now, it may happen that an individual is convicted in one of these courts and is acquitted in the other for the very same act. His own conscience may convict him before God, and yet the ecclesiastical tribunal may erroneously acquit him; and, although his conscience should acquit him, yet the judges of the court may erroneously convict him.

The internal court takes cognizance not only of actions but of words, thoughts and desires: the external or contentious court takes cognizance only of overt acts. The morality of the members of the church and their whole religious deportment in their relation to God may then be considered the business chiefly of this internal court: the discipline of the church, the preservation of order and the relations of members to the body may be considered chiefly the business of this contentious or external court; and each may be considered to be independent of the other.

This obvious distinction being kept in view, it is plain that all which regards the reconciliation of the sinner with God takes place in the internal court: all that regards his reconciliation with the church is matter for the external court.

The great question which first presents itself to us is: "How is this reconciliation with God to be effected? Is it by the payment of money?" The doctrine of the Roman Catholic Church is and always has been, that by the law of God, the sinner cannot be reconciled to him, except by true repentance and through the merits of Jesus Christ our only Redeemer. I shall here give the doctrinal chapters of the Council of Trent on this subject, as they were adopted and approved by that assembly in the sixth session, celebrated on the 13th of January, 1547. [See vol. ii. pp. 207–212.]

All this regards the interior court, and is not, by any means, matter with which the exterior court has any concern; and here the Council of Trent lays down the unchangeable law of God, the unvarying doctrine of the church, which neither pope nor council, nor any tribunal can alter, and with one particle of which no human tribunal can dispense.

Neither Chancery, nor Penitentiary, nor Datary has ever interfered with this tribunal. Each bishop, in his diocess, ordains priests, and whilst he believes them qualified, he gives them jurisdiction to hear the penitent sinner, to teach him his obligation according to this law, and to carry it into execution. Neither the bishop nor the pope, nor [any] tribunal, can require any information of what the penitent has told, and was it required by either of them, the priest is bound rather to die than to communicate it. In the performance of his duty, the law of God, and not the act of external tribunals, is to be his guide. It is here, and only here, that absolution for sin is given, and no priest could be guilty of worse simony than to accept of money, if the penitent should be so silly as to offer it, for this absolution: because, the members of the church are all taught that all the forms are useless, unless they have the disposition of true repentance, and that God will not ratify an absolution given to one who does not truly repent. Thus no division of Christians requires a more perfect repentance and abandonment of sin than we do; and we require more, for we require confession and satisfaction.

Now all this was done in the sixth session of the council, on the 13th of January, 1547, that is, fourteen years and eleven months before the protest of the Protestant princes was delivered at Frankfort—of course they knew that this was the Catholic doctrine.

It is then our doctrine that the guilt of sin is remitted only by the power of God, through the merits of Christ, and upon the conditions which he requires; amongst which

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are true repentance and the ministry of the priest. As soon as the guilt is remitted, the liability to eternal punishment ceases; but it is a doctrine of ours, that God frequently, for his own wise purposes, subjects the repentant and pardoned sinner to a temporary punishment. I shall illustrate it by reference to a scriptural fact.

When Nathan announced to David upon his repentance, that God had taken away his sin, the guilt was removed and the penalty of eternal death was remitted, but the temporal punishment of the death of his child was announced. I could multiply instances, but this will suffice. We believe, also, that by what the explanation, above given, calls "satisfaction," God will frequently be moved to extend still farther his mercy, and to diminish, or altogether to remove this temporal punishment. Thus we read, that David kept a fast and lay upon the ground during the sickness of the child; but when its death was announced to him he arose and ate, and in explanation, he said, "while the child was living I fasted and wept for him: for I said who knoweth whether the Lord may not yet give him to me." Had the child been given, it would have been what we call an "indulgence," and thus it is not a remission of sin, nor leave to commit sin, nor the remission of the eternal punishment due to sin, nor the absolution from an excommunication, nor is it a dispensation from the observance of a law: but an indulgence is "the remission of the whole, or a part of the temporal punishment which sometimes remains due to the penitent and pardoned sinner, after his guilt and the eternal punishment have been removed." And thus no person can profit of an indulgence except after he shall have repented and been pardoned by the Almighty God through the merits of Jesus Christ. Whether God gave power to the Apostles to grant indulgences upon certain conditions, whether that power still exists in the church, and where it is lodged if it does, are questions which would open a new field of controversy, and from which I promised to abstain.

Our readers will now perceive why, in examining the truth of your assertion, that the Roman Chancery passed a statute licensing the commission of crimes for certain sums of money, I stated that the use or abuse of indulgences had no bearing on the question.

I shall, in my next, endeavour to wind up my explanation, by showing the nature of dispensations, and their abuse, as also the nature of censures, and the abuses in granting absolution from them, and the manner in which the grant of indulgences was long and extensively abused.

I have the honour to be, reverend sir,
Your obedient and humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 7th, 1839.

(From the Courier of September 11, 1839.)

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—I now proceed to give our readers a view of the transactions of the external or contentious court, and of some of its proceedings. This may be called the tribunal of discipline, according to ecclesiastical canons or laws, as the other may be considered the tribunal of religious intercourse with heaven, founded upon the teaching and institution of the Saviour.

The general disciplinary laws of the church chiefly regard the lives and manners of the clergy, the mode of placing them in office, and of depriving them thereof, the effects of ecclesiastical censures, the mode of inflicting them or of removing them, the impediments of marriage, and such like. I need not inform you that laws for this purpose must be passed in general terms, and bind all the individuals comprised in these terms. And it frequently happened that special cases were found, in which the hardship or inconvenience was so great, or the benefit to be derived by excepting this case from the operation of the law was so manifest, that the legislator would have excepted it had it come before him; but as the words of the law embraced the case, there would have been no remedy. To meet this inconvenience, the Pope has a power of dispensing with the individual case, so that the law shall still be of force, but shall not apply in this particular instance. Whether the Pope has this power by virtue of his office, independently of the church, and from the Saviour himself, or whether the legislative tribunal of the church vested it in him, so as to meet such cases, is matter of no moment: this power is acknowledged to be in him, that for sufficient cause, of which he is to judge, he may exempt an individual, in a particular case, from the operation of the general laws of the church. No Catholic believes, what is falsely imputed to us, that he can dispense with the law of God. A dispensation, then, is the exempting of a particular case from the operation of a general law of the church. Thus, the general law says that persons related to each other in a certain degree of consanguinity, shall be incapable of contracting

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marriage with each other. Catholics do not believe this to be a divine law, for the law in Leviticus was only for the Jewish people, and is no part of the Christian code: they regard it as an ecclesiastical law, and believe that the tribunal which could bind by the enactment, could loose by the exception. It has frequently happened that disputed successions have threatened dreadful calamities of war and all its consequences, and that the whole train of evils could be averted by a marriage of the disputants, but they were within the forbidden degrees. Here was an evident case which the legislature never intended to include, though it was forced to use general terms, and it was one of the cases which was left to the discretion of the Pope. Some canons go even so far as to say that some of those dispensations should be given only to great princes, and for a public cause. To grant a dispensation which exempts the individual, for sufficient reasons, from the operation of a general law, is not then an indulgence; but it is a grace or favour, and frequently a great public benefit. Would it not be, in a great measure, similar to obtaining a decree from the chancellor upon the merits of a particular case in equity, where the law would, by its letter, work an injustice in the common pleas? Nor is the dispensation granting a license to commit sin. No dispensation could be granted to offend God. The Almighty himself could not grant such a dispensation: it would be incompatible with his attributes.

I now come to censures. A censure is an ecclesiastical penalty inflicted upon an offender. One is suspension, by which a clergyman is, without losing his office, prohibited from performing its duties, either for a definite time, as a month, or a year, or for an indefinite time, viz., until he shall be absolved from the censure. Another is excommunication, by which any member of the church is deprived of the use of the sacraments and a variety of other advantages, until absolved from the censure. There are others, but this exhibition will suffice. Now absolving a clergyman from suspension is an act of jurisdiction of the external court; it is not absolving him from sin, which is an act of the interior court; and, clearly, though it is a grace or favour, it is not an indulgence, nor is it a license to commit sin. To absolve a clergyman or a layman from excommunication, was only to open the way to such a person to have recourse to the sacraments, that receiving them with proper dispositions, pardon may be obtained from God, in the court of conscience, but it was not pardoning the sin, nor giving license to commit a sin; and though it was a grace and favour, it was not an indulgence. This, too, was an act of the exterior court, and was a portion of discipline. Thus, it is clear that neither an indulgence, nor a dispensation, nor absolution from a censure could be "a statute formerly passed by the Roman Chancery, making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, regulating the price at which each might be committed."

I now come to remark upon the abuses.

In order to know the nature of any transaction, we must look to its circumstances. Europe had been scourged during centuries by the incursions of the barbarian hordes that overthrew the remnant of the Roman empire. The church had, in a measure, civilized them, and brought them to bow their necks to the yoke of the Gospel. A collection of predatory bands were assuming the form of a multitude of independent principalities. Charlemagne, to a certain extext, had succeeded in blending them into a feudal confederation. They professed the Christian religion, they acknowledged the Pope as its head, but they generally tyrannized over the bishops. The ancient canons of discipline were severe, and when any crime had been publicly committed, though the individual had confessed in private, he was required to do the penance or satisfaction in public, and the process was in many instances long and severe. The courtiers and the favourites of the chieftains, impatient of the restraints of these canons, and equally unwilling to observe, even in private, the fasts and other penitential works enjoined by their confessors, and yet equally unwilling to abandon the principles of their faith, sought by all means to procure relaxations: they offered to compensate by alms and works of mercy to the poor, for the relaxation of that rigorous discipline which they were unwilling to observe. Amongst the relaxations which were made, we find some specified in the canons of the Council of Triburia, once a royal villa, formerly called Tribur of Trewr, between Mayence and Openheim, on the right bank of the Rhine, in the present territory of Hesse Darmstadt. The 54th canon gives two reasons for the mitigation, which has relation only to a special case, but the reasons are of general application. The Council of Ancyra, in Galatia, a province of *Asia Minor*, which was celebrated in the year 314, regulated, amongst other matters, in canon xxii., that persons guilty of voluntary homicide, should not be admitted to reconciliation until they should have done specified acts of penance

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during years, and not receive the holy Eucharist until there was a likelihood of death. The Council of Triburia, in 895, after reciting the substance of the canon of Ancyra, goes on to say, "but it appears good and useful to us, who are pastors of Christ's sheep; because of the circumstances, *qualitate*, of modern times, and the frailty of men, that by synodal authority and general judgment we should moderate this chastisement, and fix a certain and definite time for the penance, lest a very long period of penance should occasion weariness and disgust in the negligent, and that the work of salvation may be increased for those more speedily carried through the exercises." It fixed the duration of the penance at seven years, diminishing in rigour as the time proceeded, and in some of the periods, and for some of the exercises, allowing a relaxation from part of the rigour of one day, upon condition of supporting three poor persons sufficiently on that day, or giving an equivalent amount in money or value to some work of charity. It also recognised in the bishops the power of using their discretion, upon reasonable and sufficient grounds, of granting indulgences, that is, by a judicial exercise of power, remitting still farther through the superabundant merits of Christ, and in consideration of the communion of saints, forty days, or one year or more of these works of satisfaction, which were offered to God, in lieu of the temporal punishment which sometimes remained due to sin, after the guilt and the eternal punishment were remitted to the penitent sinner, and these remissions were called indulgences of forty days, of a year, &c.; and Catholics believe that when this power is properly used, the Almighty mercifully remits the temporal punishment corresponding to the amount which would be remitted by the penance of those days. This power, however, may be abused; and they do not believe that God is bound by the mal-administration in this case, and that they who would place confidence in such mal-administration only deceive themselves. The canons of Triburia were founded upon just and sufficient grounds, and the canons of Ancyra recognise the same power of granting indulgences in the bishops. "Modus autem, &c." "Let the measure of this penance be subject to the discretion of the bishops, that according to the conduct of the penitents, they may be able to extend for the slothful, and to shorten it for those who carefully hasten." (Can. xxii.)

The Council of Triburia was not an exception, but an illustration of the process by which a general relaxation was forced upon the church by the spirit of the times. The bishops soon felt the tyranny of the little and sometimes of the great sovereigns, who, by all efforts, sought to break down the restraints of the ancient rigour in forcing them to grant unreasonable indulgences for insufficient causes, until the rapid decay of their power exhibited a large body, especially of the German prelates, as mere powerless instruments in the hands of those petty despots.

This, sir, is the true cause why they willingly sought to be delivered from the evils of their position, by surrendering to the Holy See exclusively a large portion of that power in granting indulgences which had been exercised by their predecessors. But the surrender of the power was made only after the introduction of many abuses, which could not be immediately redressed. The same spirit, which is found in the present despot of Prussia, had dominion over many a tyrant who professed the Catholic faith—and he had his Magdeburgs, and Mindens, his myrmidons and minions; and all his prelates had not the firmness of the archbishop of Cologne. This is the first epoch in the introduction of abuses.

The next question is, "What was the benefit of the transfer?" Rome was an independent state; the Pope was a sovereign, and he was therefore less liable to be awed into concessions.

Soon after this period, an additional calamity came upon Christendom. The Saracens, not content with the extinction of Christianity in the East and in the South, were bent upon sweeping it out of Europe by the execution of their scimetars. In order to meet them upon their own ground, to force them to look nearer to home, as well as to get possession of the Holy Land, the crusades were undertaken. You and I may differ in our views of their policy; but it was considered a great protection to Christendom, that a powerful army should penetrate into the heart of Palestine and keep possession of Jerusalem. Every encouragement was offered to him who would valiantly fight against those who had sworn the ruin of religion; and indulgences were extended with no sparing hand to those soldiers of the Cross who exposed their lives for its protection against the Crescent. The Holy See was lavish in her favours to those who gave up the enjoyments of home and the safety of their castles for the toils of painful journeys, the privations of the camp, and the turmoil and perils of the battle. Funds became necessary—and by analogy, it was said that they who contributed from their means to support those who fought

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abroad, were equally engaged in the conflict; and they who contributed the funds claimed to participate in the indulgence. Incontestable monuments of history could, were I allowed it, be produced to prove that such was the process. Thus, discipline was enervated, and indulgences were multiplied, and in many instances they were abused.

At an early period there were collectors of alms, who, authorized by the bishops, by the monasteries, by hospitals, and not unfrequently by the popes, travelled to collect the alms of the faithful. They were like the travelling agents of our bible societies, of our missionary societies, of our church building, and other societies. They were called questors; they exhorted the faithful in all places to contribute to the special objects of their mission, and naturally sought to show the benefit which the contributor would derive from aiding specially their particular institution. They were lavish in the promise of indulgences, and in magnifying their advantages. Yet in no instance that I can discover, do I find that any of them went so far as to fix a certain sum, or rate, or tax for an indulgence. But we have abundant evidence that not only were indulgences too lavishly bestowed, and without sufficient cause, and their advantages exaggerated, but that this was done in many instances for vile gain by unworthy men, and that much of the money thus collected was profligately misapplied. But was this in accordance with the doctrines of the church? Was it encouraged and practised by its authorized representatives? Was there any step taken to reform the abuse?

I regret, deeply, my being so crippled for space in giving the answers.

The fourth Council of Lateran was held in Rome, in the Church of St. John of Lateran, in the year 1215. Pope Innocent III., in opening the Council, states the first object to be the reformation of the church; of the abominations existing therein he complains, and calls upon the bishops to aid in removing them. His expressions are stronger than most that you have quoted, but he restricts them to real, he does not extend them to imaginary abuses; and exhorts the prelates strenuously to flee avarice, uncleanness, and ambition, to practise prayer and mortification, and to cultivate the virtues.

I should wish much to have the opportunity of giving here, in full, the canons to which I refer; but I must now be content with giving their substance. The sixty-second condemns and forbids the sale of relics, and warns the bishops against allowing lying stories or false documents to be exhibited, to make a gain by procuring offerings from pious persons who are deluded.

It then proceeds to warn them against the easy admission of questors, some of whom had been found, even in their summonses, sustaining abuses by the assertion of falsehoods; and gives the form of the letters which the Holy See gave to those whom it sent out, which is but a general exhortation to alms-giving in favour of some special charitable or religious institution that is in distress, with an assurance that God will bestow an abundant reward. It desires that they shall not be permitted to publish more than their commission expresses; and desires that bishops shall not give any other sort of commission. It proceeds:

"Let those who are sent to seek alms be modest and discreet, let them not lodge in taverns or unbecoming places; let them not incur useless or high expenses, and let them be cautious that they do not wear the dress of an order to which they do not belong."

"And because the prelates of some churches do not fear so to act as that, by their grants of indiscreet and superfluous indulgences, both the jurisdiction of the church is brought into contempt, and penitential satisfaction is enervated,—the decree," &c.

Great restrictions are specified, and a great moderation enjoined upon the example given by the Pope.

The next canon notices "extortions and filthy and base exactions," for the performance of several clerical duties; and notices their being taxed at certain rates (not in the Roman Chancery, nor in Rome, nor for sins, but elsewhere); it condemns and reprobates it as a simoniacal corruption, ordering it to be abolished.

The sixty-fifth recites the allegation against some bishops who refused to institute pastors until they got money, and made other extortions. They are condemned, the exactions prohibited, and the criminal is bound to pay double the amount of the exaction to the injured place or party.

The next canon would be rather inconvenient to some Protestant churches in this city; and one was passed in stronger language at Triburia, condemning extortions for services, &c., at the burial of the dead, and on other occasions. The German Council, in can. xvi., calls it "a custom to be abhorred and avoided by all Chris-

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tians, that of selling for a price the sepulture due to the dead." What would they say to $50 for leave to bury a corpse?

This, however, is a digression, and one which I cannot now afford to follow up. My object was to show that, although the abuses in granting indulgences increased to an alarming extent at this period, the legislative body of the church neither countenanced nor defended the abuse, nor was it negligent in the reprehension; but it had not power to prevent what it condemned. At this council there sat the patriarchs of Constantinople and of Jerusalem, seventy Greek and Latin archbishops, and four hundred and twelve bishops, besides a large number of abbots and other dignitaries.

I shall now give from the *Corpus Juris Canonici* (Clem. Lib. v. Tit. ix. C. 2) the decree of Pope Clement V. upon the subject, according to the proceedings of the Council of Vienne in Dauphiny, where upwards of three hundred bishops were assembled in 1311. The title of the decree is *Abusionibus*.

"Desiring (as far as lies in my power) to present the abuses which some questors of alms put forward in their preachings, that they may deceive the simple, and extort gold from them by subtle, or rather by deceitful ingenuity; since it tends to the danger of souls, and the scandal of very many;—we have thought fit, according to the statute of the general council, strictly to prohibit (unless they should produce the letters of the Holy See, or of their diocesan bishop) that they should be in any way admitted or permitted to preach (for their duty is solely to state to the people the indulgences granted to them, and suppliantly to request from them their charitable aid), and to prohibit their being allowed to explain to the people anything more than what may be contained in the aforesaid letters. And let the diocesan bishops diligently examine the apostolic letters, lest there should be any fraud in them, before they admit the questors themselves."

"Moreover, some of these questors, as have been brought to our knowledge, not without great impudence of temerity and multiplied deceit of souls, actually grant of their own motions indulgences to the people, dispense in vows, absolve those who confess to them from perjuries, homicides, and other sins; remit doubtful claims and restitution for thefts (upon a certain sum of money being given to themselves), remit a third or a fourth part of the penances enjoined; take out from purgatory (as they falsely and lyingly assert) three or more souls of the relations or friends of those who give them alms, and carry them to the joys of paradise, give them a full indulgence and remission of their sins to the benefactors of those places for which they request, and some of them (to use their own words) absolve from guilt and punishment."

"Now, we desiring in every way to abolish abuses of this description, by means whereof ecclesiastical censures are made vile and the authority of the keys of the church is brought into contempt, strictly forbid those things to be done or attempted in future by any questors, altogether revoking by apostolic authority, all and singular privileges, if any there were given in the premises or any of them to any places or to any persons or orders of questors, or to any of them in any manner, (lest in pretence or pretext thereof there may seem ground for their farther presumption."

The latter clauses of the decree state that the number of questors and the abuses have increased, and call upon the bishops to punish the delinquents and check the abuses.

It is curious to notice that the very evil complained of, the very abuses condemned, and the deceit denounced, are, by the early Protestant writers, attributed to the very tribunal which denounced and condemned and sought to remove them! These efforts were made before that period at which you allege the formation of the taxes under John XXII., the immediate successor of this very Clement! I wish, sir, I had room to give in this place the exhibition of the sentiments of some of our best and most active and enlightened writers, high not only in public estimation for piety and literature and every quality which could adorn the human character, but also high in ecclesiastical rank, who bewail and condemn those abuses whilst they vindicate the fair fame of the church and sustain her doctrines; but it is too soon, and for me the opportunity exists not of giving their testimony to a well-disposed people, long habituated to attribute every enormity to the See of Rome,—long taught to seek for the origin of every religious evil in the tenets of the Roman Catholic Church. I am also forced thus to pass over the intermediate period, during which I could show the acts of many other councils, and come down to that which you call the day of reformation. The questors still existed, and some of our best writers say that even the Holy See became too careless in correcting the abuses to which I have alluded. I have at all events shown that they existed and were widely spread abroad. And now we come to the days of Tetzel, as the commissioner of Rome. That his questors were guilty of many of the

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faults into which the others fell, I am prepared to admit as more than probable. That several of the allegations made against them by the earliest Protestant writers were notoriously untrue, I think I am prepared, if necessary, to prove. But, sir, in this I believe we should differ. I am of opinion that their crimes were not as great as were the calumnies of their opponents. I do not attempt to defend the one; you attempt to vindicate the other. I have before my eye assertions of the fathers of the religious disunion: assertions that the canon laws contained enactments which the Catholic writers of that day denied to have ever been found upon the books, and which certainly do not appear upon the copies ancient or modern in either of the Protestant or Catholic collections of this day; and thus, sir, though not one of them refers to the Tax-book of the Roman Chancery for such a statute as you have described, they have similar *ingenious devices*.

The Council of Trent had the case necessarily under its consideration. Several of the Catholic nations remonstrated against the crimes of the questors, who even still existed, and in the fifth session, held on the 17th June, 1546, the last clause agreed to in the 2d chapter on reformation, was—

"Let not the questors of alms, commonly called *quæstuarii*, of whatever condition they may be, presume, in any way, to preach, either by themselves or by another, and let the bishops and ordinaries of the places banish, by all proper means and remedies, those who contravene this decree, notwithstanding any privileges."

And again, in the twenty-first session, held July 16, 1562; Chap. IX. on Reformation—

"Since many remedies heretofore had recourse to, by different councils, as well of Lateran as of Lyons, and of Vienna, against the wicked abuses of questors of alms, have been latterly found useless; and since their malice seems daily rather to increase, together with the great scandal and complaint of the faithful; so that there no longer appears to be any hope of their amendment, it (the council) decrees that henceforth, in all places of the Christian religion, their name and their use be perfectly and fully abolished, and that no one shall henceforth be admitted in any way to exercise this office, notwithstanding any privileges, churches, monasteries, hospitals, pious places, or any grants thereto, or to any persons of what degree soever or state or dignity granted, and notwithstanding customs even immemorial, and it decrees that indulgences and other spiritual graces, of which it is not fit that the faithful of Christ should be deprived, shall henceforth be published by the ordinary of the place, to the people, at the proper time, associating with him two members of the chapter, to whom also power is given for faithfully collecting the alms and the charitable aids offered to them, they receiving no reward in any manner. So that at length all may know that these treasures of the church are used for piety and not for gain."

The abuses have since disappeared, and there never was a period when there was a more general and pious use made of indulgences, than at the present time, and yet abuses are scarcely found and seldom complained of.

The dispensations were also frequently given without sufficient examination, and it was charged by some of our best and most pious men, that the facility was so great, from the avarice of the officers, that no person who sent the fees for the papers, and a sufficient compensation for the Datary, could have any reasonable doubt but that the ingenuity of the officers would work the application to a favourable issue, sooner than they should lose the fees which would accrue from the passing of the grant.

In like manner it was complained that it needed only the expression of sorrow, which was too often feigned, and the payment of the fees for drawing the papers, to procure an absolution from censures, and that what was originally intended as a check upon misconduct, became, by the facility by which it could be removed, rather a fixed rate at which a person might have the grounds furnished for a calculation of the yearly cost of getting relieved from censures and continuing to incur them. But it must be recollected that all this was in the exterior courts: and had no concern with sins, but with censures. The tribunal was established not for the license of transgressors, but for their punishment and their release from a state of disgrace and restraint, after their amendment. The facility of the tribunal may be proof of the infidelity of its officers to their duty, but was no proof that sin was sanctioned by the church: and this tribunal had no concern with the remission of sin, but the removal of censure, and if fines were sometimes paid, they were inflictions for the past, not purchase money for the future. That the money thus procured might have been occasionally misapplied, I will not venture to doubt; but the history of the past and the results which I have witnessed, have proved to me that it was destined to the highest objects of religion, of literature, of civiliza-

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tion and of charity, in the erection of churches, the endowing of colleges, the support of missions, the alleviation of sickness, the support of orphans, and the relief of the poor. Notwithstanding the speculations which occasionally existed, sir, I venture to assert that no one of your societies has had its funds more faithfully administered.

These days and these practices, sir, have passed away; and the improvement which took place in the Catholic Church was a reformation of the practices of individuals and of some tribunals. Its necessity was pointed out by proper officers of the church itself, and by the voice of Catholic Europe. It was effected without a change of her doctrine or a separation in her communion, though large bodies did separate and make doctrinal changes: and during a long period, unfortunately, there were sufficient abuses to call for reprehension, without the necessity of interpolation or forgery, at the very moment that remedy had been efficiently applied.

In addition to the other observations, allow me to add this one before I conclude. You will find upon the Index, as censured, the books which proclaim as genuine most of those indulgences and dispensations which are the theme upon which every tyro in Protestant theology founds his charges, to exhibit the corruptions of our church. What, sir, would you think of my honesty, did I pick up every book which you flung away as a libel, and impute its expressions to yourself?

I would that you read a little more of Catholic authors than you appear to have done, and after viewing both sides you may, perhaps, think differently from what you do.

In what estimation do we hold those travellers who, in order to amuse Europe and fill their own purses, compile volumes turning our peculiarities into ridicule whilst they suppress the exhibition of those things in which we excel? What do you think of those "friends of humanity," who collect a few anecdotes of the misconduct of some unfeeling masters and embellish the narrative from the stores of fancy, thus to portray the southern planter? Of what value would be a history of the United States whose contents should be even a faithful transcript of the records of our criminal courts?

And, sir, if a foreigner were to form his estimate of our public men and of the administration of our affairs from the vituperation and the falsehoods of our party press, and refer to public American writers as the authorities by which he was guided, would you call him a well-informed man? You have read the history of the Catholic Church in this way, or I am in error.

I am fatigued, sir, and probably so are you and my readers. I shall only say, that when you had Bayle you had all that the libraries of Europe could have furnished to sustain you. I know not whether any reply that you may make shall render it necessary for me to appear upon this subject again. Whether it should or not, I wish to preserve for you the feelings which I have more than once expressed, and beg leave to remain, reverend sir,

Your obedient and humble servant,

† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 9, 1839.

(From the Courier of September 14, 1839.)

To the Right Reverend Bishop England:

REVEREND SIR—I have read your last five letters with all the attention in my power. I, with deference, conceive that the proofs and arguments in my communications remain not only unscathed, but quite untouched as to any material point, and that I could easily show this. The controversy has, however, been already protracted to such a weary length, that it would be unreasonable, if not impossible, to trespass farther on the patience of our readers. I am sure the greatest favour I can confer upon the public, is to terminate the discussion, and I submit the case, therefore, cheerfully to the verdict of all who seek only truth—making but the following observations, which they will see indispensable:

1. You must feel that expurgated copies of Tax-books and other documents in your possession, are worth less than nothing in the case before us.

2. When Abbe Richard admits the Tax-book, it is the work "Jurieu produced," viz.: the tariff of sin which he says "*the Church*"* suppressed, and of which the "guilt belongs only to the Court of Rome." Your attempt to identify this with the cut and dry copy in your possession, and to confound a Tax-book for papal revenue with a fee-bill of officers, is too bad. The picture you give, however, of John XXII.,

* If I repeat often, and in italics, these words, you will forgive me. I am an unworthy member of a poor and humble body of Dissenters, and I cannot quite forget that witty, but wicked, sarcasm of South's: "The Papists have a church, but no religion; the Dissenters a religion, but no church." You will, sir, sympathize with me, no doubt, and participate in my indignation.

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"*citing Scripture for his purpose*," is admirable. How the blood-sucker must have chuckled, as he concocted his infernal scheme for replenishing his *needy* coffers, and "gave as a cause (*your own words*) that verse of the Psalmist—'Blessed is he who understandeth concerning the needy and the poor.'" Well done Pope John XXII.

3. Your "*Indices Prohibitorum*," and "*Nisi corriganturs*," clearly prove nothing, but that the press was, and is abused shamefully in order to conceal truth, and keep the people in ignorance and superstition. As you are so anxious for an exhibition, I beg you will only go as far back as 1826, and let the community see the Index then published, and the books it forbids, and the conditions on which alone even the Bible is to be allowed.

4. In respect to the Chancery, you say you "have other dodging places," and I "have not got you there." I think I have; and I am satisfied of it even by your last letters. The preparing a Tax-book would be only a "ministerial act" and not "judicial." The Popes themselves were the authorities which issued indulgences. *They* palmed them upon the people as absolutions and dispensations from censures and sins; and the "ministerial" business of preparing the tariff would belong to the Chancery. As to the refinements of the church and Bellarmine, I care nothing. The distinction may be very clear in your articles of faith between absolutions, and dispensations, and indulgences: but the word of God condemns them all without any distinction; and what would Popes like John, and Sixtus, and Leo, care about the subtleties and maxims of Doctor Tom Aquinas? They had but one orthodox maxim:

"O cives, cives, quærenda pecunia primum est,
Virtus post nummos."

Get moneys, moneys, fleece our flock of these;
And *then*—old Tom of Aquin, if you please.

As, however, you might go on dodging for ever in those courts, let a single, plain, but decisive question suffice. Is it even possible that *you* can be correct, and all the Protestant princes, and the multiplied European authorities cited—Reformed and Romanist?—be in error? Sir, Lingard has betrayed you into adopting, for argument, what even he only meant as a spiteful retort upon Mesurier, Faber, and the other archers, who galled and shot him without mercy.

5. You acknowledge one error as to Parrhasius, and commit others. That "Protestant translation" of Bayle, which you use, must labour sadly under the "*peculiar disease*," and were Whittaker living, it could hardly escape him. Leave it, sir, and go to the honest original "kindly offered" you. The case was incest from first to last. The Pope did sell a dispensation; "*l'argent a quoi la dispense etait taxée.*" That it was not an indulgence, but a dispensation from sin, makes my argument stronger; since the Datary had to do with a dispensation from incest; and I maintain that, though separate now, the Datary and Chancery were *then* the same court. In a note to Mosheim (v. 3, p. 93,) the learned Schlegel gives an account of the courts, and says "*the Chancery is called Dataria.*" This was as late as 1770. Parrhasius died two centuries before, in 1533. Even now, you admit, that while the Datary inquires into cases of incest, the Chancery "prepares the papers and gives the documents," viz., the Datary is *judicial;* the Chancery *ministerial;* and preparing the Tax-book would be ministerial. But, sir, without farther jugglery, why not put the thing in its true light at once? Indulgences, absolutions, &c., were granted by no tribunals at all, but by the Pope himself. As to these, the courts of Rome deserve not the name of tribunals. They were and are mere creatures of the Pontiff: and to whatever department he might choose to refer certain matters for investigation or report, the Chancery (an office derived from the Cæsars, see Black. Comm.) was, and would be, the ministerial bureau to issue his tariff of taxes. I am willing, however, to rest this on the simple, plain question put above.

6. You are "astonished at my inaccuracy as to the date of the protest of the princes." I am astonished at yours. The Council of Trent was called as early as 1542. Even before 1546, the princes presented their memorial. In January, 1546, Robertson says, (page 147,) "they published a long manifesto, containing a renewal of their protest, against its (the Council of Trent's) meeting together, *with the reasons* which induced them to decline its jurisdiction." The meeting in 1562, was only a reassembling of the same council, and the address of the princes a representation of their protest. Even this, however, was two years before Pinet's work. Your confession that, "as to Pinet's being the original fabricator, you are not *so* positive," indeed? and your suggestion that perhaps the whole body of princes were the forgers in a document publicly presented to a Catholic council!!! these are a specimen of the parts of your letters I had noted, as they came out, for comment; but, as to which, in sparing the public, I spare you. Would it not be safer and better to admit the Tax-book, among the "enormous and

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criminal abuses you grant did exist," than to hazard this charge? But so it is in these things; one step ever leads to worse; "*Ce n'est que le premier pas qui coute.*"*

7. I said that "*the enforcement* of the tariff would have been a shelter in the days of Luther and Calvin." Here again, too, how exact the Prince William's illustration! The license laws exist now; but do they remedy the evil? Are they, or will they ever be, enforced, while they recognise the principle, that the manufacture of drunkards is an honest business, and, sir, a proper subject for taxation?

8. As to the Lateran Council, I will give the words. The editors of the Courier threaten to put us on the advertising columns. I am not surprised at it. I return them my sincere acknowledgments for their courtesy, extended thus far to one who is a stranger, and whose name is not even on the list of their subscribers, (an omission which I beg they will supply.) But, sir, this threat must sound ominously in *your* ears; and, as I would fain save you from insolvency—for printing is rather harder and dearer work than pardoning sins, and the tax-bill of the *Courier* might not be quite so "extremely moderate" as that of the Pope appeared to honest Lingard—I will state to our readers, that I give the canon as quoted by Faber. His book, however, will satisfy any who consult it, that he drank not from troubled streams, but ascended to fountain heads; and G. S. Faber's reputation defies any assault: "*Non enim dicenda sunt juramenta, sed potius perjuria, quæ contra utilitatem ecclesiasticam et sanctorum patrum venient instituta; Concil. Lateran. tert. Can. XVI. Labb. Concil. Sacrosanct. vol. X. p.* 1517." "For they (oaths) are not to be esteemed oaths but rather perjury, which are against ecclesiastical utility and the decisions of the holy fathers." See Faber's Diff., p. 48. I find that Mr. Maclain, in his Mosheim, is at a loss, how this can be called the third Lateran Council, when there had been eight previously. He confounds *Provincial* with *General* councils. This was only the third General Lateran Council, and is acknowledged as the eleventh of those called Œcumenical or universal.

9. The prohibition of the tariff in 1570, and pretence of corruption, amounts, as Bayle well observes, only to this, "that the Pope wished to conceal a document with which at that time the Reformers were beginning to goad the church." The Jesuits were then the very soul of Inquisitions and Romanism. Pascal was, indeed, "not of your church," if by "your church," you mean "the monastic order of the Jesuits." But he was a professor of the Roman Catholic religion; and, after my mention of his inimitable letters, I should have supposed you would hardly, however pressed, have brought forward the Jesuit Bellarmine. How largely, too, do you calculate on the ignorance of the community, when you quote a furious controversial tract of Lingard—that virulent Roman Catholic priest whose prejudices make even his History of England unworthy of credit, full of "*dexterity of interpolation,*" "*wonderful talent for quoting as much as suits his purpose, and omitting whatever makes against him,*" "*hardihood of assertion,*" "*borrowing from his fancy what is necessary to the support of his system,*" &c., &c., (Edinb. Rev. No. 83, 7.) It seems to be only against pretended Protestant forgeries, that your zeal, like veracious Whittaker's, is ungovernable. Lingard is, I believe, now living, and you might as well have given a passage out of one of your former letters. As you cite these works, however, (although the extracts are nothing at all to the purpose,) permit me to select one or two authorities, out of others before me, which bear directly on the "precise question,"—and which even you will not venture to combat—their words of themselves, ought to settle this dispute.

10. I adduced before the Nouv. Dict. Hist. (Caen, 1786), whose editors, though violent Catholics, mention Pinet's notes and the tariff, without the least pretence of forgery. These same editors speak in the highest terms of De Thou, (also a Roman Catholic,) and what does he testify? "Leo X. gathered huge sums of money by sending his Breves abroad, everywhere, promising *expiation of all sins, and life everlasting upon a certain price*, which any should give according to the heinousness of his offence." (Thuan. Hist. Sui. Temp. ad ann. 1515.) Planck, than whom there is no better authority in Europe, and whose work the Conversations Lexicon pronounces distinguished "by profound research, and by thorough and free examination," thus writes: "In Rome itself, the trade in indulgences was prosecuted even in small and individual things, and carried on with a regularity which would have done honour to the most reputable business in the world. *There was drawn up a formal statute regulating the prices of all kinds of sins*, even of those, the very existence and names of which had, perhaps, been conceived of only in the imagination of some idle casuist; in which statute, the price of each pardon was fixed on the most singular principles of estimation. This almost incredible monument of the most audacious oppression, and

* See Appendix A.

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blindest superstition, is still extant." See Taxa Sacræ Penitentiariæ by Hortleder on the Causes of the German War, B. I. C. 47, p. 564 (Planck Prot. Theol.)

I remarked in my last letter on your many random assertions. There is one I overlooked. It is this—"*neither Mosheim nor any other respectable historian of the period alludes to such a document.*" Now here (as in your affirmations about Luther, "stricken out of Protestant books," "No gentleman, &c. &c.,") a plain man would take it for granted, that you could hardly be speaking at a venture; and, at first, I really did not think to examine. Having grown a little wiser, however, I have turned to Mosheim, and lo! his words at p. 430, v. 2. "The Popes not only sold indulgences to the people more frequently than formerly, to the great indignation of kings and princes, but they required enormous prices to be paid for their letters or bulls of every kind. In this thing John XXII. showed himself peculiarly adroit and shrewd, *for, though he did not first invent the 'Regulations and fees of the Apostolic Chancery,'* yet the Romish writers admit that he enlarged and reduced them to a more convenient form."

I have already referred to the note of his celebrated commentator Schlegel, *who was a contemporary*, giving a full account of the book of sin. Here is another decisive note by Schlegel. "There were rich merchants of Genoa, Milan, Venice, and Augsburg, who purchased the indulgences for a particular province, and paid to *the Papal Chancery* handsome sums for them." v. 3, p. 18. These wholesale importations, he says, they retailed at great profit.

As I am unwilling to multiply quotations unnecessarily, I give but one more. The *Biographie Universelle*, (the best biographical dictionary in the world) says, *speaking of the tariff of sin* (*Art. Pinet*), "La Taxe Chancellerie fut imprimée pour la premiere fois a Rome en 1474, par l'ordre du Pape Sixtus IV." John XXII. then enlarged and digested the tariff of iniquity in 1320; and Sixtus IV. first ordered it printed in 1474. This is just in keeping with the character of his Holiness Sixtus IV., who established brothels in Rome, in order to put a tax upon them. His other acts, and his consummate infamy, are they not written in the book of Agrippa "*de Vanit Scient*," and in every authentic history?

Now, sir, with these remarks, I acquiesce cheerfully in the decision of the public. Others crowd upon me, but I sacrifice them, though reluctantly; and, while "I do not ask a concession of victory"—about *that* I care nothing—I do ask a concession of truth. Let any man examine the proofs advanced, which are the best possible, from the nature of the case. Let him then look at the confessions of eminent Catholics. If farther corroboration be needed, let him inquire into the character of the Popes who are accused, and consider the notorious traffic in indulgences, which involves necessarily a fixed rate of prices; and if, after all this, he doubts the existence of the Tax-book of sin, I humbly submit that his scepticism must be ascribed not to any defect of testimony, but to some other cause.

I know nothing about the "mutual friend" in Charleston, who offered you the use of a copy of Bayle in the original—an offer which I wish you had accepted—nor of any other "friend who had access to it;" but I cannot conclude, without expressing my sincere thanks to a gentleman and distinguished scholar, whose name you have mentioned, and whose acquaintance I enjoyed in former days, and amid scenes and pursuits, oh! how different from those in which my soul rejoices now—I allude to the Hon. H. S. Legare, who, while in Europe, purchased for the Beaufort College, not only Bayle, but by far the most choice collection of modern and ancient classics I have seen for a long time.

Allow me, also, reverend sir, now that this controversy is over, to repeat to you, and the members of your community, my regret that I have been forced into it, and that, in order to defend the Prince William's committee, and show the striking accuracy of their comparison, I have been compelled to disinter and expose the enormities, which I had hitherto been willing to leave buried in oblivion, and for doing which, I can only say—as I remarked in my first note, deprecating this discussion—that "upon yourself must rest the blame."

I despatch the above, before your promised explanations and confessions have reached me. After the premonitory of the Courier, I am unwilling to expose you to temptation, by entering on a subject which, by the bye, you carefully evaded while the press was open, and the public patience not exhausted. Reverend sir, I anticipate fully your course of argument as to absolutions, indulgences, &c. But all ingenuity here is expended in vain. The word of God levels against the whole system its distinct and unequivocal denunciation, and it is notorious that the Popes cared no more for your theories than I do, when they wanted money. That there were men who lifted an unavailing cry against the existing abuses, I well know—although poor Jerome and Huss teach us what was their reward..

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But, if your confessions shall merit the title—if they prove not a mere confirmation of Massilon's remark, that "the confessions of most persons are only a studious arrangement of words, to soften and embellish," &c., "*l'arrangement etudie des expressions qui adoucissent l'horreur*," &c.—if, in short, you acknowledge one thousandth part of what all history attests—then, you must admit abominations so ineffably and infinitesimally enormous, that our judges will be amazed at your indignation about the Tax-book; and, while they look in horror at the character of your clients—priests, abbots, bishops, cardinals, popes, councils, and the whole church, century after century—they will unanimously turn to me, and exclaim, in the language of an old acquaintance of yours at school,

"SOLVENTUR RISU TABULÆ—TU MISSUS ABIBIS."

Hoping, then, we may now "part in mutual respect and amity,"

I have the honour to be, reverend sir,
Your most obedient, humble servant,
RICHARD FULLER.

Beaufort, Sept. 10, 1839.

Note.—The editors of the Courier gave notice, that as the correspondence was voluminous, and might be very long, they should charge for it as an advertisement, if continued.

Broad Street, Sept. 14, 1839.

To the Editors of the Charleston Courier.

GENTLEMEN:—I send a letter in reply to the Rev. R. Fuller, which, though it is only the vindication of a council from the worst accusation he could bring forward, and which appeared in your paper, I shall pay for as an advertisement, upon the presentation of your bill. You will add to the favours conferred, by giving it a conspicuous place.

Yours, respectfully,
† JOHN, *Bishop of Charleston.*

(From the Courier of Sept. 16, 1839.)

To the Rev. Richard Fuller, Beaufort.

REVEREND SIR:—I am satisfied to close the discussion relating to the "Statute formerly passed by the Roman Chancery, making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, and regulating the price at which each may be committed," with but three remarks.

1. Though De Thou professed the Catholic religion, he was generally considered to be more friendly to its opponents; and his history has been censured at Rome, by a decree of November 9, 1609, and subsequently by one of May 10, 1757. A modern writer describes him as "Audax nimium: hostis Jesuitarum implacabilis: calumniator Guisiorum: *protestantium exscriptor*, laudator, rei Catholicæ parum æquus:" "Too bold: an implacable enemy of the Jesuits: the calumniator of the Guises, the transcriber, the panegyrist, the friend *of the Protestants:* unjust to the Holy See, to the Council of Trent, and to the whole of what regards Catholicism." The documents which he used were furnished by the most violent enemies of the Catholic religion, and the leading writers of the party naturally extolled the historian who became little more, upon the subject of religion, than their amanuensis.

2. I wrote that Mosheim does not allude to such a document as "the Tax-book," or "the Statute formerly passed by the Roman Chancery, making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, and regulating the prices at which each might be committed." The quotation that you make is no allusion to either. I always admitted that there was a Tax-book or fee-bill of the Chancery, but I denied that it contained the items of your tariff; and it is still my untouched assertion, that Mosheim does not allude to them, nor to any of them. You say that Planck does, and I give you the full benefit of his assertion.

3. "Sixtus IV. established brothels in Rome, in order to put a tax on them." I am sorry that you should have so far forgotten yourself as to repeat this scandalous libel, and to make reference to Agrippa, who is thus well described: "Nullis hic parcit: contemnit, scit, nescit, flet, ridet, irascitur, carpit omnia. Ipse philosophus, dæmon, heros, deus et omnia."—"He spares no one: he despises, knows, knows not, weeps, laughs, is angry, attacks, finds fault with everything. Himself a philosopher, a devil, a hero, a god, and everything." By how many was he caressed, and then turned off? In how many countries has he been a beggar? How many patrons has he assailed? How many prisons has he graced with his presence? You are angry with the Popes, but it would be well to have discretion even in anger!

I, however, must give you and our readers a little more of the canon of the Council of Lateran than you vouchsafed to give them upon the authority of Faber. Your

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charge was, that the council made perjury in behalf of the church a virtue, and you added that the council made falsehood in behalf of the church a virtue. Your words were:

"But without saying a word about the notorious Third Lateran Council, which makes not only FALSEHOOD but PERJURY a virtue in behalf of the church,—omitting that, you will permit me, respectfully, to ask one question."

I do not know, sir, whether any of the blood of my native country flows in your veins; but if not, you are quite worthy of being admitted into our honourable fraternity, for you have made an admirable bull in saying what you did not say a word about, and omitting what you stated!

Amongst Catholics, sir, perjury is the violation of a lawful oath, or the taking of an unlawful oath. Thus, if we swear to declare the truth and do not declare it, it would be perjury; and should a man attempt to bind me by the form of an oath to declare a falsehood, I would be guilty of perjury in going through the form which I profaned; but not only am I not compelled by this form to tell a lie, but I am obliged to go against the words by which I appeared to be bound, because it is no oath, but a perjury. An oath cannot be a bond of iniquity. A conspirator who has sworn with his fellows to commit robbery or murder is not bound by the oath. In fact it is no oath; to be an oath, it must have three qualities, viz.: truth, judgment, and justice; the defect of either renders it no oath.

There are some acts bad in themselves—such as injustice, murder, &c. We believe that it is always perjury for a person to swear that he will commit either of them, and that there is in such cases no oath, but a deceptive form which is no bond, and that the moral obligation is against its observance.

Other acts may be legalized by society, or by its representative, the legislature; and we may be bound by an oath to their performance. Thus, a sheriff is bound by his oath to execute the sentences of the court of justice. In this case he may be released from the obligation by the same tribunal by which it was created. A custom has been long observed, and has been legally sanctioned: by virtue thereof certain duties are to be performed by particular officers: they are sworn to the performance; the legislature finds that the custom has been perverted, and enacts a law for its reformation, and declares that they who have been sworn to perpetuate the abuse are not prohibited by their oaths from observing the law, but that they are bound to obey it; for that a semblance of an oath which prevents the reformation of abuses is no oath, because it wants the qualities of "judgment and of justice." Would you call this perjury? Were the fathers of the revolution who had sworn allegiance to the crown of Great Britain perjurers, because they issued the Declaration of Independence?

Now, sir, the canon xvi. of the third Council of Lateran, was an act of the legislature of the church, remedying a glaring abuse, and declaring that even persons who might have sworn to its perpetuation were not bound to continue the abuse, by reason of having so sworn; for an oath against the public good was not an oath.

CANON XVI.

"Cum in cunctis ecclesiis, quod pluribus et senioribus fratribus visum fuerit, incunctanter debeat observari: grave nimis et reprehensione est dignum, quod quarumdam ecclesiarum pauci quandoque non tam de ratione quam de propria voluntate ordinationem multoties impediunt, et ordinationem ecclesiastieam procedere non permittunt. Quocirca presenti decreto statuimus, ut nisi a paucioribus et inferioribus aliquid rationabile fuerit ostensum: appellatione remota, semper prævaleat et suum consequatur effectum quod a majori et seniori parte capituli fuerit constitutum. Nec nostram constitutionem impediat, si forte aliquis ad conservandam ecclesiæ suæ consuetudinem juramento se dicat adstrictum. Non enim dicenda sunt juramenta sed potius perjuria quæ contra utilitatem ecclesiasticam et sanctorum patrum veniunt instituta. Si autem hujus modi consuetudines, quo ratione juvantur et sacris congruant institutis, irritare, præsumpserit: donec congruam egerit pænitentiam, a Dominici corporis perceptione fiat alienus."

"Whereas, in all churches, that which is approved of by the more numerous and the older brethren ought to be observed without hesitation; it is grievous and reprehensible that in some churches, a few persons frequently hinder an ordinance, not so much upon reasonable cause as by their self-will; and do not permit the ecclesiastical ordinance to proceed. Wherefore, we enact by this present decree, that unless some reasonable cause be shown by the minority and the younger, that which shall have been regulated by the majority and the elder portion of the chapter shall, all appeal being taken away, always prevail and have its effect. Nor let it be a hindrance to our regulation, that perchance any one should say that he is bound by an oath to preserve

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the customs of his church. For they are not to be called oaths, but rather perjuries, which are in opposition to the welfare of the church and the enactments of the holy fathers. And if any person shall presume to make void customs of this description, which are sustained by reason, and according to the sacred regulations, let him be denied the partaking of the body of the Lord until he shall have done befitting penance."

Thus, sir, I have copied and translated the canon from the volume and page of the work you pointed out, and I leave to my readers to decide whether by quoting from the law the miserable scrap which I have extracted above, Mr. Faber has enabled you to convict three hundred Catholic bishops, representing their whole church, in the year 1179, of having taught, 1st, That *falsehood* was a virtue when committed on behalf of the church; 2d, That *perjury* was a virtue when committed on behalf of the church.

Now, sir, I apprehend the Protestant princes who made it a condition for their acknowledgment of the council which they affected to seek, that the prelates should be declared not bound by their oaths, would feel little obliged to you or to Mr. Faber, did you charge them with legalizing perjury.

I shall also, sir, refer you, instead of quoting Catholic authorities, for which you have such becoming contempt, to Paley, chap. xxi., *Oaths to observe local statutes*, where he describes the observance to be in some cases *unlawful*, and says: "Unlawful directions are countermanded by the authority which made them unlawful." This, sir, is the very case. The highest legislative authority in the society, made the bad custom, which was an unreasonable deviation from the original correct usage, unlawful,—and after this the oath became unlawful.

As you seem kindly to feel for my poverty, I must own that even, with that poverty I have some pride. I therefore wish to make the best figure that I can, by paying for at least this one communication, which I make as brief as possible, not to run the risk of the insolvency from which you would fain save me. I need not remind you, sir, that picking lines out of law books is a dangerous occupation.

I have the honour to remain,

Your obedient and humble servant,

† JOHN, *Bishop of Charleston.*

(From the Courier of September 17, 1839.)

To the Reverend Richard Fuller, Beaufort.

SIR:—I had hoped that my letter in the Courier of this morning would have rendered it unnecessary for me to add anything in reply to your last. But by some mischance in the office, the passage in the canon and its translation which I marked in *italics*, were not so printed; and in place of referring to the words printed as I marked, the reference was changed to "the miserable scrap which *I have extracted above*," when I made no extract. And thus the force of my argument was so far lessened as to be scarcely intelligible. As I feel it necessary to remedy this error or mistake, I have determined now to make the argument as plain as I can.

The case stands thus. On the 23d of August, you wrote the following passage:

"But without saying a word about the notorious third Lateran Council, which makes not only falsehood, but perjury a virtue in behalf of the church."

In this you make two distinct charges against that council. *First*—That it made *falsehood* a virtue in behalf of the church. *Second*—That it made *perjury* a virtue in behalf of the church.

I was so totally unprepared for such charges, that I requested you to enlighten me upon the subject. And on the 10th of September, you give me, as your authority for the two charges, "the canon as quoted by Faber," and you assure me that "his book however will satisfy any one who consults it, that he drank not from troubled streams, but ascended to the fountain head: and G. S. Faber's reputation defies any assault." After this glorious flourish, you give the quotation which the editors of the Courier thus print in *italics*, and within inverted commas, as I suppose you so marked them for exhibition: "*Non enim dicenda sunt juramenta sed potius perjuria quæ contra utilitatem ecclesiasticam, et sanctorum patrum veniunt instituta. Concil. Lateran. tert. Can.* xvi. *Labb. Concil. Sacrosanct. vol.* x. *p.* 1517." And to this you add the translation: "For they (oaths) are not to be esteemed oaths, but rather perjury, which are against ecclesiastical utility and the decisions of the holy fathers." See Faber's Diff. p. 48.

Now, sir, I shall not charge the garbling of the canon upon you. I shall give its discredit to G. S. Faber, whose "reputation defies any assault." Perhaps I am in error when I believe you to have been innocent, as not having read any more of the canon than was furnished to you by G. S. Faber,—

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but for your own sake, I hope, as I believe, that I am right.

From this extract of the canon, for it is no more, I now ask you to show how you prove that the council taught "that *falsehood* was a virtue in behalf of the church."

You cannot show it, and thus, sir, you stand before the public making an accusation of the most grievous nature against the highest tribunal of the Catholic Church, without even the shadow of one particle of evidence to sustain your charge. You have not produced even a forged or an interpolated, or a garbled document to give it the semblance of a support: for even in this garbled morsel, which Faber gave you, there is nothing on which you can found the allegation. The whole statement respecting falsehood then emanates, to speak in the mildest terms, from your imagination. You have in many places of your letters given ample provocation for my treating you here in a way to which I will not have recourse.

Now as to the charge that the council "made *perjury* a virtue on behalf of the church."

Suppose the garbled scrap which Faber gives from the sixteenth canon to be a fair representation of the meaning of that law, what does it say? That oaths taken against the utility of a public body, then known as the aggregate of the civilized world, and believed by the bulk of Christendom to be the Church established by Christ to lead man to salvation, are not oaths—but perjuries. Would an oath taken by a citizen of our state against its public welfare be considered obligatory? Would the court, which should decide that the citizen who took it and continued to adhere to it was not bound by that oath, upon the ground that it was not an oath, but perjury, be justly accused of teaching that perjury was lawful? I need not inform you that the first obligation of every citizen is the law of God: the second is the constitution of his state, and as no form of oath could bind him to the violation of the divine law, so, except the constitution of his state should conflict with the divine law, no form of oath could bind him to violate that constitution: and should there be such a conflict, he is bound to the state in every other point save that in which the conflict exists: and his exemption in this instance arises from that sound maxim of legal interpretation that where two laws are in irreconcilable conflict, that of the first or higher authority must prevail. These are the principles which I have been taught from Roman Catholic authors, by Roman Catholic professors: they are the principles which I find recognised in all enactments and interpretations of councils in the Roman Catholic Church, from the Council of Jerusalem held by the Apostles down to the present day.

Faber does not translate "*sanctorum patrum instituta.*" You give as the translation, "*the decisions of the holy fathers.*" I translated it in my letter of Saturday, '*enactments* of the holy fathers.' To you, a learned jurist, it is quite unnecessary for me to dwell upon the palpable distinction between an *enactment* which is a legislative act, and a *decision* which is the judicial interpretation of that enactment. I looked into a couple of Latin dictionaries in order to be assured that my recollection was correct, and they gave me "statute, order, decree." I looked into Johnson, for the word "institute"—and he referred me to the Latin "institutum," giving as the meaning "established law: settled order." I was quite aware that throughout the canon law, the word "institutum" was used for "enactment," and "interpretatio" for "decision." Thus, even the garbled quotation of Faber, would convey this meaning, "the council taught that oaths, taken against the enactments of the holy fathers," that is, against the public and well-known laws of the society, "were not oaths but perjuries." And would not every court of our state also declare that oaths taken against the public enactments of the Legislature were not oaths, but perjuries?

Now, sir, I suspect that not one reflecting person who reads this will believe that you had one particle of evidence, even in that garbled extract, upon which to sustain your very cruel and outrageous charge.

Again, I must remedy the occurrence in the printing office, and to render my argument intelligible, here insert the canon.

CANON XVI.

"Cum in cunctis ecclesiis, quod pluribus et senioribus fratribus visum fuerit, incunctanter debeat observari: grave nimis et reprehensione est dignum, quod quarumdam ecclesiarum pauci quandoque non tam de ratione quam de propria voluntate ordinationem multoties impediunt, et ordinationem ecclesiasticam procedere non permittunt. Quocirca prasenti decreto statuimus, ut nisi a paucioribus et inferioribus aliquid rationabile fuerit ostensum: apellatione remota, semper prevaleat et suum consequatur effectum quod a majori et seniori parte capituli fuerit constitutum. Nec nostram constitutionem impediat, si forte aliquis ad conservandam ecclesiæ suæ consuetudinem juramento se dicat adstrictum. *Non enim dicenda sunt juramenta sed potius perjuria, quæ contra utilitatem ecclesiasticam et sanctorum patrum*

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veniunt instituta. Si autem hujus modi consuetudines, quo ratione juvantur et sacris congruant institutis, irritare, præsumpserit: donec congruam egerit pænitentiam, a Dominici corporis perceptione fiat alienus."

"Whereas, in all churches, that which is approved of by the more numerous and the older brethren ought to be observed without hesitation: it is grievous and reprehensible that in some churches, a few persons frequently hinder an ordinance, not so much upon reasonable cause as by their self-will: and do not permit the ecclesiastical ordinance to proceed. Wherefore we enact by this present decree, that unless some reasonable cause be shown by the minority and the younger, that which shall have been regulated by the majority and the elder portion of the chapter shall, all appeal being taken away, always prevail and have its effect. Nor let it be a hindrance to our regulation, that perchance any one should say that he is bound by an oath to preserve the custom of his church. *For they are not to be called oaths, but rather perjuries, which are in opposition to the welfare of the church, and the enactments of the holy fathers.* And if any person shall presume to make void customs of this description, which are sustained by reason, and according to the sacred regulations, let him be denied the partaking of the body of the Lord, until he shall have done befitting penance."

I now ask, whether the picking that morsel printed in *italics* out of the above canon, separating it from the context, and giving it as a proof that the third Lateran Council made not only falsehood, but perjury a virtue, in behalf of the church, is not dishonest garbling? I leave it to any honest man to say whether there is any essential moral difference between dishonest garbling and criminal interpolation; between criminal interpolation and forgery; between the notorious guilt of which G. S. Faber, "whose reputation defies any assault," stands convicted, and that which I have shown to be the crime of the Lord of Norroy, and the other interpolaters of the Tax-book. I have had some little acquaintance with criminal courts: and I have more than once seen an accomplice produced as a witness to establish the innocence of his associate, by impeaching an innocent individual. But in those cases it was considered to be a desperate and reckless effort injudiciously made, tending as it did to establish more fully the charge in the indictment.

I have the honour to remain, reverend sir,
Your obedient and humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 16th, 1839.

(From the Courier of September 20.)

To the Reverend Richard Fuller, Beaufort.

REVEREND SIR:—You appeared to be so indignant at the insinuation that it was part and parcel of the system of the adversaries of the Roman Catholic Church and clergy to forge, to garble, and to malign, as well as to vituperate, that I thought it may, as you love truth, be useful, if not gratifying to you, that I should furnish a few facts in support of the assertion that such a system existed even at present. I was debating with myself whether I should not make selections for this purpose from a number of European and American journals, which from time to time I had laid aside to serve this purpose as occasion may require, and I have abundance; when this day's mail brought a new bundle of European papers. The first which I opened contained the following article, which I for the present submit to your perusal. Indeed, sir, were I to publish one-tenth of what I meet with in the course of a year, fitted to sustain my allegations, you may well calculate upon my insolvency. However, I can afford to pay for this; and as my fellow-citizens of other religious denominations would know little of it, were it confined to the columns of a Catholic periodical, I am desirous also of showing them that I generally do not hazard groundless assertions; and that, though I would libel the great bulk of Protestant Christians, were I to charge them with participating in this vile practice, yet I am ready to give abundant proof that it has been and continues to be the system of the violent opponents of the Roman Catholic Church, to have recourse to forgery, and fiction, and garbling, to defame that church and her clergy.

The Cork Southern Reporter, from whose columns of the 1st of last August, the following article is taken, is one of the most respectable journals of the United Kingdom. This article was published whilst the court in which the transaction occurred was yet in session in the city, and subsequent to the adoption of your memorial at Hoopsa church, on the 22d July.

I have the honour to be, reverend sir,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Sept. 20, 1839.

(From the Cork Southern Reporter, August 1st, 1839.)

THE LIMERICK LIBEL CASE.

CALUMNIES ON THE CATHOLIC CLERGY.

We stated some reasons in our last number for the opinion we expressed—that how-

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ever, in the spirit of forbearance, the Rev. Mr. Raleigh, the Roman Catholic curate of St. Nicholas' Chapel, Limerick, may have been satisfied with the apologies made to him on the previous day in open court, by the Rev. Dawson Massy, the Protestant curate of the same parish, and a Mr. Dartnell, proprietary of the Limerick Standard, the first for having furnished the material for, and the latter for having published an atrocious libel on his (Mr. Raleigh's) character, there were circumstances connected with that case, which convinced us that the ends of justice had not been arrived at by the result which had taken place, and we intimated our intention of giving a history of the case from the first appearance of the libel to what we cannot but consider its abortive adjustment. We stated that the slander was of a most atrocious nature; that it was persevered in until it was seen that the reverend plaintiff was determined to bring it before a jury of the country; that it was circulated through every part of the empire by the malignant industry of the tory journals; that it was a *part and parcel of a system of falsehood and misrepresentation directed against the Catholic clergy;* that if the action had been proceeded with, we had reason to believe that a piece of more villanously conceived defamation was never revealed to the public than would have been disclosed; but that, in consequence of the settlement which had taken place, nothing more would appear to the world than that an action was brought for an ordinary libel; that apologies were made by the author and publisher, and that these apologies were accepted; but that, as to the libel itself, no reference had been made to it, and that not one of the bad organs of the party which were too happy to circulate it, would recall the calumny. We deemed that all these circumstances were quite enough to take this case out of the ordinary rule of not noticing actions in which the parties have settled their difference between themselves, and promised that if in laying it before the public we should have to mix up or add to it other matter, it should be so far relative as to be illustrative of as *heartless, profligate, and unprincipled a system of slander and calumny* as was ever conceived in the bad minds of the worst conspirators against private character. We repeat the words which we used; and proceed to show their just and appropriate application to the disreputable and dishonourable practice which we denounce.

Some time ago—we think it was in the month of March—the Cork *Constitution* informed its readers that an order had been issued to the police, prohibiting them from furnishing the newspapers with accounts of murders, burnings, and the numerous other outrages which, according to the "state of the country" journals, were of such frequent occurrence. We stated at the time that we knew nothing of such an order, except upon the dubious authority of the *Constitution;* but that, if such a direction had been issued, we thought it would be attended with good effect, as it would probably curtail, in a great measure, the gross fabrications and exaggerated representations of the most trifling occurrences, which were sent before the public, to the great injury of the country. From that time forth, it was observable—indeed it was palpable to the most ordinary observer—that there was an almost total cessation in the "state of the country" journals of the usual accounts of outrages; and the space in them which used to be devoted to details of "horrid barbarities," which never took place, was necessarily filled with other matter. As the source from which they were accustomed to derive the ready made lies which answered their purpose was closed against them, they were thrown upon their own inventions, and upon altogether different contributors; and whereas, therefore, the subjects were "Murder, rape, robbery, arson," &c., the new headings became—

"Ruffianly Conduct in Roman Catholic Chapels."

"Surpliced Ruffians."

"Ruffians in Sacerdotal Robes."

"Confession."

"Base Uses of the Confessional, &c. &c."

In the *Constitution* of the 6th April, appeared the following article, quoted as if copied from the *Limerick Chronicle:*

"RUFFIANLY CONDUCT IN ROMAN CATHOLIC CHAPELS.

"We have on many occasions remonstrated with our unthinking fellow-Protestants, on the idle and blamable curiosity which prompts them to enter Roman Catholic chapels, and view the disgusting mummeries and idolatry which are there perpetrated; but what remonstrance failed to effect, the following details of some occurrences which took place in this city on what the Roman Catholics call Holy Thursday evening, may ultimately accomplish.

"On that evening one of the annual shows which dazzle the ignorant, but which should disgust every well-educated person, takes place in the Roman Catholic chapels,—and the members of that persuasion, and we are sorry to add, some Pro-

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testants, from idle curiosity, visit the chapels to see the decorations. Some Protestant ladies thus happened to enter one of the chapels in this city, and whilst there, a portion of the mummeries of the Romish Church required the prostration of the assembly. This the ladies could not do consistently, nor could they effect a retreat. At this moment the officiating priest called to them from the altar to kneel, but they did not comply with the request; on which he paused in the service, rushed from the altar, seized on the ladies, and, rudely dragging them to the door, pushed them out.

"In the Franciscan chapel, however, a circumstance of a far more ruffianly nature took place: a highly respectable lady entered—the same mummeries were being enacted, and the young lady, who, we believe, is an English lady and a Protestant, did not kneel like those around her. The moment she was perceived not to have done so, a cowardly ruffian in sacerdotal robes rushed from the altar to where she stood, and grasping her by the arm, desired her to kneel. The lady said she was a Protestant, and would not do so for any one; on which the ruffian rudely pushed her, and she fell to the ground, he at the moment exclaiming, 'Now will you kneel?' In dreadful alarm the lady arose and exclaimed, 'Never;' on which the coward again pushed her to the ground, with all the fury of a demon depicted in his countenance.

"It is with gratification we state, that further violence was now stopped by the general outburst of indignation against a brute who could thus outrage an unprotected female; and seeing a rush being made from all quarters to protect her, the cowardly reptile returned abashed to the altar, and the lady was assisted from the chapel almost fainting.

"The last case is one of so dangerous a nature, that we sincerely hope the lady's friends will advise her to prosecute the ruffian. Justice demands that she should do so; but at any rate, we trust it will satisfy 'Liberal' Protestants, that that toleration to other creeds which is an essential of the Protestant faith, does not exist even in the Church of Rome."—*Limerick Chronicle.*

Not having, at the time we read this article in the *Constitution*, any recollection of having seen it in the *Limerick Chronicle*, we looked back to the past numbers of that paper, and, strange to say, it was never published in it. What the object of the *Constitution* was, in attributing the article to the *Chronicle*, we cannot imagine. But the article *had* appeared in the *Limerick Standard*. It was written on the authority of the Rev. Dawson Massy, the Protestant curate of St. Michael's church, Limerick; and it is the libel for which the Rev. Mr. Raleigh brought the action.

And if the statements made in it be not true; if, from beginning to end, there was not the shadow of a foundation for them, or any one of them; if they were all *a monstrous lie, conceived, in the first instance, in the most profligate disregard of truth and fact, and sought afterwards to be sustained by the vilest perjury*, we ask of any man whose heart is not as black, and whose hands are not as deeply imbued in guilt as those of any of the parties to the *infamous fabrication*, can anything more depraved be imagined than the concoction of a story like this, having no other earthly object than *to damage the character of a Catholic clergyman*, no matter whether that clergyman was the curate of the Franciscan or of St. Michael's chapel, *the great object being to injure the character of the body?*

But let us proceed:

It appears that the Rev. Mr. Malone, the Catholic clergyman of the Franciscan chapel, having read the publication in the *Standard*, wrote a letter falsifying the statement altogether, so far as he or his convent was concerned. Of this letter we have no copy, nor ever saw one. It produced, however, the following from the Rev. Mr. Dawson Massy:

"Upper Mallow Street, April 8, 1839.

"To the Editor of the Limerick Standard:

"Dear Sir:—I have just seen the Rev. Mr. Malone's letter of this day, denying that any insult was offered at the Franciscan chapel to the Protestant ladies who attended it on Thursday evening before Easter.

"As I was the person who gave you the information to which Mr. M.'s letter alludes, I feel bound to substantiate its truth; and consequently called this evening on the young lady in question, to know the full particulars of the whole transaction.

"She solemnly affirms that she was treated with the utmost rudeness in a Roman Catholic chapel, on the evening you have mentioned, but in the Roman Catholic chapel of St. Michael's (not in the Franciscan), by the Rev. Mr. Raleigh, not by the Rev. Mr. Malone, and that your statement is substantially correct.

"The young lady naturally shrinks from giving her name to the public; but, as her parish minister, I have no hesitation in

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stating my conviction, that her testimony is worthy of credit; and I beg to add, that I myself would never mention the circumstance to you, but from my heartfelt desire that your noticing it in your widely circulated journal might deter Protestants from countenancing, by their presence, the erroneous rites of an impious idolatry, from the low motive of idle curiosity. The apprehension of meeting rudeness or insult in such places, may keep away from them those whom a better principle does not control.

"I remain, dear sir, yours truly,
"DAWSON MASSY,
"*Curate of the parish of St. Michael's, Limerick.*"

The charge being thus transferred from one clergyman to another, and the scene being laid in a different chapel, the Rev. Mr. Raleigh addressed a letter to the editor of the *Limerick Standard*, in reply to the Rev. Mr. Massy; but the *Standard* would not publish it, and he at length got it inserted in the *Limerick Chronicle*, with the accompanying introduction:

"To the Editor of the Limerick Chronicle:

"SIR:—Having addressed the following letter to the editor of the *Limerick Standard*, in reply to one of the Rev. Dawson Massey, which appeared in that paper of the 8th inst., and as he has not inserted it, notwithstanding a promise made at a personal interview, I shall feel much obliged by your giving it a place in your columns on tomorrow, as I am particularly anxious that a moment should not elapse, without removing whatever imputation this reverend personage's letter may have cast upon me.

"I remain, sir, with great respect,
"Your obedient servant,
"JAMES RALEIGH.
"Sexton Street, April 12."

"To the Editor of the Limerick Standard:

"SIR:—As you have declared yourself, in the last number of your paper, 'A lover of fair play,' I am induced to hope you will not refuse to insert the few following lines:

"A leading article in your publication of the 5th inst. is headed—'Ruffianly conduct in two Roman Catholic chapels,' in which you assert that on last Holy Thursday evening, in a Roman Catholic chapel, in this city, a priest, or as you mildly call him, a 'ruffian in sacerdotal robes,' rushed from the altar, grasped the arm of a young lady, *a Protestant and an Englishwoman*, and with the fury of a demon depicted in his countenance, twice pushed her to the ground, exclaiming, 'now will you kneel.' It appears from the Rev. Mr. Malone's letter, that no such occurrence as that stated took place in the Franciscan, and at once in your last number the scenes are shifted, and St. Michael's chapel and your humble servant are made the place and the party which must answer this imputed violence. You pronounce me the 'real delinquent,' and seem to rejoice that, with the assistance of the Rev. Dawson Massy, 'you have now put the saddle on the right horse.'

"I waited on this reverend personage yesterday, at his house, in company with a highly respectable Protestant citizen, to know from him the name of his informant, in order that I may disprove this odious imputation; and, contrary to every principle of manliness or justice, he refused my simple and reasonable request.

"It now, sir, only remains for me, in fairness to myself, *to declare most solemnly* that the whole transaction is a *gross falsehood* and a *malicious fabrication;* and, moreover, I pledge myself to the public to prove it to be such, the moment he declares his alleged informant.

"The Rev. Mr. Massy ought to know the commandment, 'Thou shalt not bear false witness,' and I would ask, is it consistent with justice, or with religious or moral principle, to publish 'his conviction of the truth' of a most painful and insulting statement against a Catholic clergyman, and then refuse the name of the person, from whom he asserts to have received it?

"In conclusion, sir, I beg to state, that unless the name of his informant be given, I shall take no further notice of this affair, but will give him the opportunity of proving, before another tribunal, the truth of this odious charge, for which he has avowed himself personally responsible.

"I remain, sir,
"Your obedient servant,
"JAMES RALEIGH, V. P. St. Michael's."
"April 12."

Mr. Dawson Massy comes into the field again—not to reply to or notice the above letter of the Rev. Mr. Raleigh, but to confirm the statement made by himself in his published letter of the 8th; and to confirm it—how? By the affidavit of the young lady—"a Protestant and an Englishwoman" according to the original libel, "a young unprotected Protestant, and his parishioner," according to the Rev. Mr. Dawson Massy. But let that pass. In the *Limerick Chronicle*, of the 17th April, were the following letter and outrageous document—purporting to be the affidavit of some nameless affidavit lady.

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"April 16, 1839.

"To the Editor of the Limerick Chronicle.

"DEAR SIR:—In confirmation of the statement made by me in my published letter of the 8th inst., I beg to furnish you with the following copy of the affidavit of the injured person, the original of which is in my possession. As an humble follower of Him, who, when He was reviled, reviled not again, I abstain from angry recrimination.

"The public will draw their own conclusions from the accompanying document, and easily understand both the motive which influenced me in bringing the transaction before them, and the reason—the sole reason, of my having preserved from exposure the name of a highly respectable lady—a young, unprotected Protestant, and my parishioner.

"I remain, dear sir, yours truly,
"DAWSON MASSY,
"Curate of St. Michael's.

"Upper Mallow Street, Limerick."

(COPY.)

"County of the city of Limerick, to wit. } A. B. of C. D., in the county of the city of Limerick, spinster, came before me, and made oath on the holy Evangelists, that on the evening of Thursday, the 28th of March last, she, this deponent, accompanied by several other females, proceeded to St. Michael's chapel, situate in Denmark Street, in said city, for the purpose of witnessing the ceremonies of Holy Thursday.

"Saith, that on entering the chapel, she perceived two clergymen engaged at the altar, and shortly after, one of them, the younger of the two, whom deponent believes to be the Rev. James Raleigh, Roman Catholic curate of that parish, handed to the other officiating priest a silver vessel, which she has since heard contained what is called the Host.

"Saith, that the elder priest proceeded onward from the altar, and was preceded by the younger, who, on coming up to where deponent was standing, called out to her, in a loud and angry voice, to kneel down, or immediately leave the chapel.

"Saith, that she, this deponent, answered him that she could not do so, and immediately heard the words 'bloody heretic,' and said Raleigh then pushed this deponent down on her knees.

"Saith, that as soon as she got up, she stated that 'if to be a Protestant was to be a bloody heretic, she was one,' and saith, that on recovering from the agitation induced by the harsh treatment she experienced, she saw the said Raleigh rudely pushing from the chapel another female, whom she knew to be a Protestant, and whom he put outside the door, and shut the same in her face.

"Saith, that on getting out of the chapel, such was the treatment she received there, that she was obliged to lean against the outward wall before she could recover sufficient strength to proceed home. And saith that she has not since recovered the effects of the treatment she received. Deponent positively saith she does not make this affidavit from any vindictive feeling, but with a view to substantiate the statement already made by her to the Rev. Dawson Massy, and as an act of justice to him.

"Sworn before me, this 15th day of April, 1839. G. H. FITZGERALD,
Mayor of Limerick."

That this affidavit should not go before the world recommended only by its own intrinsic merits; and that the reverend promoter and procurer of it should appear under all the impress which a character for fervent zeal, and devotion, and sanctity never fails to produce, the *Limerick Chronicle* accompanied his epistle and *her* affidavit with the following praises:

"The reader will find in our columns this day, a letter from the Rev. Dawson Massy, relative to an outrage upon a Protestant lady in a Roman Catholic chapel, during Passion week. Annexed to this letter is the affidavit of that lady, one of his parishioners, describing the unmanly outrage which she had, in the first instance, communicated to her pastor, and which he felt it his duty to proclaim from the narrative of his parishioner. The exposure did create a feeling of amazement and indignation in the public mind, which was not abated by the mistake a Protestant would naturally incur by naming one chapel for another, not being, of course, *au fait* to their various denominations, and probably never having been within their precincts before. The fact, however, of the assault, was too impressive, and that now rests upon the relative credit of a lady, who has been obliged to corroborate her statement by an oath, in reply to the denial of the Rev. Mr. Raleigh, curate of St. Michael's chapel, whose letter appeared in our last. The Rev. D. Massy asserts the high respectability of this young lady, and we ask, is there a Protestant, Roman Catholic, or Dissenter, in the city of Limerick, acquainted with the character of that clergyman, to believe, for an instant, that *he* would adopt a groundless charge of

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crimination against any human being? His holy ministry, his well-known innate piety, and his boundless love of gospel truth, afford a triumphant refutation of the vile absurdity. A fervent zeal and devotion which never tires, a spirit of charity pure and disinterested as ever warmed the breast of a Christian pastor, are the characteristics of the Rev. Dawson Massy, while on his Master's mission for the last five years in St. Michael's parish, where his labours, too, thanks to the Divine blessing, have been attended with abundant fruits. Did such a clergyman merit the coarse and reproachful language applied by the Rev. Mr. Raleigh, because he had vindicated the cause of the oppressed and defenceless? Abuse is not proof against argument—'*Non tali auxilio, nec defensoribus istis, tempus eget.*' The Rev. Mr. Raleigh must take new ground, if he can expect 'to rail the seal off the bond' which is now in legitimate form before the public. The Rev. Mr. Massy, conscious of having done his duty, may rely with confidence upon the good opinion and support of all worthy men."

The Rev. Mr. Raleigh, on the day subsequent to the appearance of the preceding documents, addressed a short letter to the editor of the *Chronicle*, upon whom a new light appears to be breaking. In introducing it he says—

"The friends of truth will be happy to see this extraordinary affair, *which has now assumed a new colouring*, satisfactorily and clearly elucidated before a proper tribunal, where all parties must have a clear hearing."

"To the Editor of the Limerick Chronicle.

SIR:—You and every unprejudiced person, must easily perceive, that the *meek epistle* of the Rev. Dawson Massy, the *nameless* affidavit, so far short of the former statement, and so contradictory to itself, and the *well-tempered* and *gentlemanlike* article of the Standard, leave the charge against me as *unsupported* and as *fictitious* as ever.

"I am sustained by eye-witnesses, and furnished with *authentic* documents, which will prove before the proper tribunal, the whole transaction to be what I have already designated it, 'a gross falsehood, and a malicious fabrication.'

"I remain, sir, with great respect, your obliged, and obedient servant.

"JAMES RALEIGH, V. P., St. Michael's.

"Sexton Street, April 17."

This is the last publication connected with this "extraordinary affair," which we have been able to trace—and we believe there was no other—until we find it before the "proper tribunal," where, as the Limerick Chronicle said, "all parties must have a hearing." But no—there was no hearing, and the Rev. Mr. Dawson Massy was prevented, by a compromise, which it is deeply to be regretted should ever have taken place, no matter by whom recommended or sanctioned, from establishing the case got up against the Catholic clergy by "his well-known innate piety—his boundless love of gospel truth—his fervent zeal and devotion which never tire—and his spirit of charity, pure and disinterested as ever warmed the heart of a Christian pastor!" Great attributes are these, and we can only condole with those who invested him with them, that instead of exhibiting them to the admiration of the expected auditory who assembled from all places to listen to his praises—to behold that "young unprotected Protestant, his parishioner," and to hear her narrate the affecting story detailed to her affidavit, he appeared as a repentant defamer of the priest's character, averting by his written act of contrition, the consequences which must have followed if the case had been gone into. "Deep regret he expresses certainly at having," now that he has more fully investigated the matter, countenanced any publication which threw any imputation on the character or conduct of the reverend gentleman whom he had so grossly libelled; to which he adds an apology, and a consent that a verdict shall be entered against him for costs. Here is the letter of apology and the consent read in open court:

"*Raleigh* v. *Massy*.

"SIR:—In reference to the subject matter of this action brought by you against me, having now more fully investigated the subject, I beg leave to express my deep regret at having interfered in countenancing any publication which threw any imputation on your character or conduct, and to express my further regret, that the imputation on your character should have been occasioned by any proceeding on my part—and understanding that you do not attribute my conduct to any malicious or unworthy motive, I offer you this apology, and consent that a verdict shall be entered for you with costs, to be taxed between party and party.

"For the Rev. Dawson Massy,

"JAMES M'MAHON, *his Attorney*.

"Cork, July 29th, 1839."

And annexed is the apology of the proprietor of the *Standard*, in which Mr. Dawson Massy published his matter, and which

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accompanied it with observations quite as outrageous and libellous:

Raleigh v. *Dartnell.*

"SIR:—With reference to the subject matter of the action, brought against me, I beg leave to express my regret at the publication of the charges and imputations which appeared in my paper relative to your conduct and character. I have no hesitation in retracting all offensive expressions towards you, which were inserted in my newspaper, and I offer you this apology, and consent that a verdict be entered for you, with costs, to be taxed between party and party.

"EDWARD TAYLOR DARTNELL.

"To Rev. James Raleigh."

Here is the case which has been withdrawn from public inquiry by an injudicious settlement. It is compiled from every document to which we could get access, and we challenge any complaint impeaching its fidelity and accuracy. When we found that the case was settled, and recollected that the original libel, and all the letters persisting in it up to the last moment, were published in the English and Irish Tory papers, and came back to us commented upon in a spirit kindred to that which gave birth to the outrageous fabrication, we deemed it our duty to try back and to lay the circumstances in a connected shape before the public, satisfied that the plain tale alone is sufficient to expose, in all its hideous deformity, *that system—of which this case is only one ramification*—of malignant slander and calumny directed against the Catholic clergy. What ingredient that is necessary to make up the greatest amount of baseness that could be congregated in any one bad act is there not to be found in this proceeding, from the fraud and falsehood in which it originated down to the swearing with which it was sought to be propped up by the "young unprotected Protestant," the Rev. Mr. Massy's parishioner? *And yet this is but one of countless fabrications, of a similar nature,* and having the same object in view, which the tory journals are every day outpouring—not tangible, as this has been made by circumstances, but as palpably false on the face of them, though the cowardly slanderers who invent or issue them will afford no clue by which they can be exposed. It was our intention to have adverted to, and published, several of these infamous falsehoods, as they appeared under the headings given above, in the journals which at once degraded themselves and outrage truth and decency by publishing them, and we proposed to show, from various combining circumstances, that they were got up in concert, and were a part of an arranged system which had for its object—so far as such unmanly instruments could effect it—to blight and blast the character of the Catholic clergy as a body. But we must defer doing so until our next number, and we shall then have to draw largely upon the *Constitution* files for as gross and infamous falsehoods as even those of its Limerick colleagues and associates supply. When we have disposed of them, we will again ask the question—should not means be resorted to, to protect the Catholic clergy from these malignant attacks?

Beaufort, S. C., 17th Sept. 1839.

To the Editors of the Courier.

GENTLEMEN:—Please give the underwritten reply to Bishop England a place in your paper. I am glad that you have adopted the rule which you published. I think it very reasonable; and however expensive, it relieves me from the pain I before felt in trespassing upon your courtesy.

I have the honour to remain,
Your most obedient servant,
RICHARD FULLER.

(From the Courier of September 23, 1839.)

To the Right Rev. Bishop England.

REVEREND SIR:—I protest against the use you make of a mere pleasantry of mine as to "saving you from insolvency;" and every candid reader will unite with me in this protest. You yourself must have felt that I alluded not to your poverty, but your prolixity. Was it, then, generous, or fair, to supply your lack of argument by this appeal to the evil passions of your readers? Judging from your note to the editors, offering to "pay their bill on presentation," I conclude that your exchequer is in a much better state than my own; which, truth to say, utterly forbids me making any such offer, and earnestly deprecates any such "presentation" just now.

The only part of your letter requiring notice is that which refers to the canon of the Lateran Council; and I assure you, sir, that I have examined your remarks, and read over and over the passage you adduce, in the hope of finding some satisfactory explanation. The subject is one of most grave and solemn importance to the community, inasmuch as you assured me in your very first note that "your religion you hold now

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as to doctrine, as it was held at all times;" and, indeed, the catechism, now issued by you in Charleston, contains the following questions and answers for the Catechumen:

Q. "From whom are we to learn the doctrines of Christ?"

A. "From the bishops who have succeeded to the Apostles, as the first Christians learned them from the Apostles."

Q. "Cannot these bishops teach us erroneous doctrines instead of truth?"

A. "No; we will infallibly receive the doctrine of Christ from the great body of bishops, with the Pope at their head."

As you claim, therefore, infallibility, and affirm that the doctrines of your church are now what they always were, (and, of course, would be enforced if you possessed the power,) it is the imperious duty of every citizen to inform himself what these doctrines were. At present I restrict my inquiry to the Lateran decision.

As to this you charge Faber with "dishonest garbling;" but to my mind his argument appears conclusive, and your accusation entirely unfounded. I really hope that the community will read Faber's work. For research and impartiality, he had scarcely any superior in England; and your letters, now before me, furnish one strong confirmation of my remark that "his character defies any assault."*

What is the charge of Faber? It is this. The Lateran Council lays down the broad principle that an oath, however solemnly taken, must be violated when such violation is required by the interests of the church, or the enactments of the fathers. How does he show this? By giving the words of the Council, "*for oaths are not to be esteemed oaths, but rather perjury, when they oppose ecclesiastical utility, and the enactments of the holy fathers.*" Now let it be remembered; 1. That as to this "ecclesiastical utility," the church itself is the sole judge. 2. That if there be no enactments of the holy fathers, the church can at once pass them. 3. That oaths against ecclesiastical utility and such enactments, are pronounced, *not only not binding*, but "*perjury*," and, therefore, their violation is a duty to God. Let these things be borne in mind, and I ask, is not Faber's assertion fully substantiated? And is not my affirmation incontestable, that "the third Lateran Council, makes not only falsehood, but perjury, a virtue in behalf of the church?" Nor do I perceive anything in your remarks to rebut these conclusions. What are your arguments? I will state their substances as I understand them—requesting our readers to refer to your letters, and correct me, if I do not place them in the strongest light.

First, you draw an idle distinction, and deny that the council authorizes falsehood, even if it does perjury. But are you serious? Perjury is falsehood in its most aggravated form; and if the Lateran decree justifies this, and makes this a duty, much more does it justify falsehood in its simplest and lowest degree. This is exactly what I said, "not only falsehood (i. e. simple untruth), but perjury," &c.

But you deny that the council makes perjury a duty; and you enter upon a course of argument, which, I confess, amazes me, and to which I entreat the serious attention of the public.

1. You ask me this general question—"Would an oath taken by a citizen of our state against the public welfare be considered obligatory? Would the court which should decide that the citizen who took it, and continued to adhere to it, was not bound by that oath, upon the ground that it was not an oath, but perjury, be justly accused of teaching that perjury was lawful?" Here is a general question put, and I have read it again and again, and submitted it to two gentlemen of the bar, as I could scarcely believe my own eyes. What! if South Carolina and Georgia were engaged in a suit before the United States Court, and I were a witness, sworn to speak the whole truth, and my testimony would decide the cause against the state, do you ask whether I would be bound to reveal the truth? Sir, you tell me what is "perjury among Catholics;" but I tell you that if in such a case, a witness should wilfully suppress anything, Protestants would punish and brand him as a perjurer; and a Protestant judge and jury would regard his knavery as only surpassed by his folly, were he to plead "that an oath taken by a citizen of our state against its public welfare is not obligatory."

2. You refer me to the 21st chapter of Paley, which is nothing at all to the purpose. You put the case of the American Revolution, viz.: a nation throwing off the yoke of oppression, which is nothing at all to the purpose. You cite the instance of the Protestant princes, who required the Catholics at the Council of Trent to be governed "only by the holy Scriptures," and not by oaths which were directly against those Scriptures, which is nothing at all to the purpose. Sir, have compassion for my purse, if you have none for your own.

3. You allege, and with an air of apparent confidence which is surprising, that the

[* It is probably well known to most of our readers, that a nephew of G. S. Faber, the Rev. F. W. Faber, is now a Catholic priest in England.]

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context proves Faber to be guilty of "dishonest garbling." As well might I bring this accusation against you, for giving still only an extract of the decree. Faber quoted all that was necessary, viz.: *the general rule recognised by the whole church.* The context cited by you, shows that the Lateran Council did not *enact* this rule, but that it was *an established principle, which they adduce to regulate a particular case.* The particular case was this. A majority of the church is supposed to pass an ordinance, (as this very Lateran Council imposed upon Catholics the obligation of destroying, as heretics, all who would not join the church, I will take this as an example.) The minority is supposed to resist this ordinance, on the ground that their oaths prevent their obedience, (pursuing my hypothesis, I make them urge against burning heretics, not only the law of God forbidding murder, but their oaths.) How does the council settle this particular case? Does it simply say, that in church discipline the majority must govern? By no means. It requires the minority to cooperate in all cases, "because" (*here is the general principle,*) "oaths are not to be esteemed oaths, but rather perjury, when they conflict with the utility of the church, or the enactments of the fathers"—that is to say, such oaths are not merely of no force, but "*perjury,*" and, therefore, it is a virtue to violate them. Now, at that time your church began to depose monarchs; and the most common oaths which stood in its way, were those of allegiance. It was, too, a vast body whose decisions were not merely ecclesiastical regulations for discipline, but laws for the whole of Europe; and I ask, can anything be plainer than that this canon requires the violation of every oath, whenever "the interest of the church" should demand it?

4. Nor, sir, do you reprobate this shocking principle, if I understand you, but defend it. You say, your church "was then the aggregate of the civilized world, and believed by the bulk of Christendom to be the church established by Christ to lead man to salvation," and you maintain that "oaths" (*all oaths no matter how awful*) "against the utility of this body were not oaths, but perjuries." I appeal to your last letter, where this monstrous proposition—the very one charged upon the council in 1179 by Faber, is by you vindicated in 1839! And that I am not mistaken is plain, since you argue the point, and give your reasons. With all its ambiguity, your argument, if I err not, stands thus:—1st. Every citizen is bound by the constitution. 2d. But his obligation to this constitution, and to his oaths under it, is inferior to the obligation he owes to the divine law. 3d. The Roman Catholic Church is in the place of God, it is "the Church established by Christ, to lead man to salvation," and its "utility and enactments," are of the same force as the divine law. 4th. Therefore any oath taken by a citizen under the constitution of his state is not only not binding, but is perjury, and to be unscrupulously violated, if the interests and enactments of the Church require such violation!!

Reverend sir, I look at this argument with undissembled grief and alarm. I am unwilling to believe that you will continue to uphold it, whatever the Lateran Council taught. I regret that, at the commencement of this letter, a single word escaped me, which breathed not the deepest solemnity. My duty to God and my country bids me be serious now, if ever I was serious in my life. If "these are the principles which you have been taught by Roman Catholic authors and by Roman Catholic professors,"—if "these are the principles which you find recognised in all the enactments and interpretations of Roman Catholic councils," what must a Protestant community say? How inadequate has been our gratitude to Almighty God for a reformation, which has put once more into our hands the Bible, the lamp ordained "by Christ, to lead man to salvation," and emancipated our conscience from a tyranny—whose only rule is its own arbitrary enactments, and which, to "utility" sacrifices not only the constitution of states, but the awful sanctions of the most sacred appeals to heaven.

Sir, believe me, when I tell you, that I say these things in sorrow. God is my witness that my tears are on the paper while I write. Forgive me, sir, you must forgive me; but when I think of the souls whose everlasting destinies depend on you, I am unable to repress my feelings. Death has been busy in your fair city. Afflicted Charleston! one hundred years ago Whitfield said that her motto was "chastened, yet not corrected." Already two watchmen have been called to the irreversible retributions of eternity; and to-morrow, perhaps, you and I may stand at the foot of the august tribunal. In view of that judgment seat, and as you would face the Judge in peace, I implore you, reverend sir, cease from doctrines which the word of God condemns: abandon a claim to infallibility, which will involve you for ever in attempts to defend error, and which Jehovah frowns upon as an impious usurpation: leave the councils, and the Roman Catholic authors, which have been, you say, your teachers,

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and take for yourself, and give to your flock, that book—which alone can guide man with unerring wisdom—and which, while it denounces as blasphemy all human pretensions to forgive sins, leads us to the fountain open for sin, and lifts on high that cross before whose majesty pursuing justice stops in reverence cowering, and under whose shelter the guiltiest thing finds pardon and peace here, and immortal glory beyond the tomb.

I have finished this just in time for the mail. Should I keep it a day, I might, perhaps, expunge these closing remarks. But I send them. Slighted by you, they will be, but, at least, you cannot misinterpret nor be displeased with my motives, however you may esteem them a weakness—and I know that in a dying hour, I shall feel no regret for having penned these lines.

Some observations I had designed on the singular way you have, when I adduce the most distinguished historians—even Catholics like De Thou—of replying that somebody (not informing me who) abused them for telling the truth. But I have neither time nor a heart to descend to such subjects now. The Tax-book, clearly as I have proved it, appears to me a trifle, when compared with this Lateran decree, which you openly justify.

And now, sir, as this is, I hope, my last communication, let me beg that we may part at least not in anger. If, in any of my papers, I have uttered a single expression wounding to your feelings, forgive it. We are strangers; and will probably continue so until that day, when the great white throne shall be piled for judgment, and the secrets of all hearts be revealed. For that day, may we both be prepared, and in anticipation of its tremendous details, may we both walk humbly in the fear of God, and live in peace with each other, and with all the world!

I have the honour to remain,
Reverend sir,
Your most obedient and humble servant,
RICHARD FULLER.

(From the Courier of September 25, 1839.)

To the Reverend Richard Fuller, Beaufort:

REVEREND SIR:—I beg leave, in reply to your letter in the Courier of this morning, to say:

1st. I had not as clear a perception as you assume that I had, respecting your allusion to "saving me from insolvency." Your statement respecting your meaning is to me, in this case, evidence, and I make you every concession you desire.

2d. You insist that the third Council of Lateran taught that falsehood and perjury were virtues, when committed for the good of the church.

To fasten upon me and upon all Catholics the doctrine of that Council, you have recourse to the Catechism of this diocess and to our tenet of the infallibility of the church. I grant you upon this subject all that I can, viz.: I am bound by everything that council taught regarding faith and morals. I believe that what it taught regarding oaths is the doctrine of God.

Your effort is to save from the charge of dishonest garbling, G. S. Faber, who took out of the body of a canon one of many propositions which it contains, so stript of its context, to establish his charge. I leave to those who read the canon to say whether you have succeeded.

I was taught that *transitus a dicto secundum quid ad dictum simpliciter*, was a sophism. That is, that the reasoning was not good which drew a universal conclusion from particular premises. The council was legislating for a particular case; the maxim referred to that class which contained this case, viz.: what Paley designates under the head of oaths to observe local statutes; and Mr. Faber's logic and yours is to draw from these particular premises a universal conclusion, embracing all classes of oaths. I am greatly mistaken in my estimate of the mind of South Carolina, if it will not detect and appreciate as it ought this effort.

The chapters were ecclesiastical bodies; their local and particular regulations were not to be in opposition to the utility of the church, nor in opposition to the enactments of the fathers, that is, of the general legislative body, but were to be subservient to the first, and in accordance with the second. The original principle was that their capitular acts should be those of the more numerous and the elder portion of the body. This was in keeping with the "utility of the church and the enactments of the fathers." Abuses are introduced, by which the acts of these bodies are in some places obstructed by the factious, and self-willed, and unreasonable opposition of the minority and the juniors. They allege that this is a custom which they have sworn to observe: the supreme ecclesiastical legislature enacts that the abuse should be abolished, and declares that the oath of ecclesiastics to observe a pernicious abuse, to the injury of that church, to sustain which that chapter was created, was not an oath, but a perjury, because it was against the object of their

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institution, and against the enactments of the supreme legislative body of the society. Now this principle applies here to the particular case, and it does not assert that an oath taken by a citizen to fulfil his duties as a sheriff, as a judge, as a soldier, is to be regulated by the enactments of the fathers, but by the parity of reasoning that such oaths are to be regulated by the legislatures which create and control these officers respectively.

Again you extend the principle to oaths regarding testimony. This is a different class of oaths, and the sophistry is if possible worse, because the maxim in no way has relation to such oaths. In this case it is what the old school men call "*transitus a genere ad genus*," or shifting the question and changing the terms.

In noticing the distinction between falsehood and perjury, I only followed you. Faber said nothing of falsehood; he was content with perjury, but you added falsehood.

My general question, as you call it, regarded not oaths in testimony, as was evident from the whole context, but oaths to observe local statutes or customs. The case which you put is a case of testimony, and has no relation whatever to the case on which I put the question. How did you overlook what I wrote regarding oaths on testimony when I was on that subject?

"If we swear to declare the truth, and do not declare it, it would be perjury: and should a man attempt to bind me by the form of an oath to declare a falsehood, I would be guilty of perjury in going through the form which I profaned; but not only am I not compelled by this form to tell a lie, but I am obliged to go against the words by which I appeared to be bound, because it is no oath, but a perjury."

Thus, sir, in your case between Georgia and South Carolina, the witness who, being sworn, would not testify "truth—the whole truth—and nothing but the truth"—would testify an untruth, and would conceal the truth, or would equivocate or misrepresent—would be guilty of perjury, because he would not have sworn *in truth;* and if he concealed what it would be conducive to justice to make known, or falsely suggested what was calculated to produce injustice, he would be guilty of perjury, for his oath would not be *in justice;* and he could not be excused by his own state for his perjury, upon the ground that it was done for her welfare, because, even if injustice and perjury tended to her utility, evil is not to be done that good may arise therefrom; and there can be no greater evil than unjust falsehood, under cover of the semblance of an oath. Neither the utility of the church nor the utility of the state will justify or palliate it.

You have read the 13th chapter of our catechism. I suppose you had the curiosity to read the 19th also. If so, how did you avoid noticing the following questions and answers?

Q. What else is commanded by the second commandment?

A. To keep our lawful oaths and vows.

Q. What is forbidden by this commandment?

A. All *false*, rash, *unjust*, and unnecessary oaths; also cursing, swearing, blaspheming, and profane words. (Matt. v. 34; St. James v. 12.)

Q. Is it ever lawful to swear?

A. It is: when God's honour, our own, or our neighbour's good, or necessary defence requires it.

Q. What do you mean by an unjust oath?

A. An oath injurious to God, to ourselves, or to our neighbour.

Q. Is a person obliged to keep an unjust oath?

A. No: he sinned in taking it, and would sin also in keeping it.

Q. Is a person obliged to keep a lawful oath?

A. Yes; and it would be perjury to break it.

Q. What is perjury?

A. The breaking of a lawful oath, or the taking of an unlawful one.

Q. Is perjury a great crime?

A. It is a most grievous one.

Now I shall suppose you read the 20th chapter. How did you overlook the following?

Q. What is forbidden by the eighth commandment?

A. *All false testimony*, rash judgments, and *lies*.

Q. Is it lawful to tell an innocent or jocose lie, or *to tell a lie for a good purpose?*

A. *No lie can be lawful* or innocent, and *no motive*, however good, *can excuse a lie, because a lie is always sinful and bad in itself.* (John viii. 44.)

Q. What else is forbidden by the eighth commandment?

A. Backbiting, calumny, and detraction, and *all words* and speeches hurtful to our neighbour's honour or reputation.

Q. What is commanded by the eighth commandment?

A. To speak of others with justice and charity, as we would be glad they would speak of us, and *to witness the truth in all things.*

Now, after having read the above, I am

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confident you will regard the following question and answer, which conclude the chapter, as fully exhibiting the spirit of that Bible whose maxims you so earnestly commend to my attention.

Q. What must they do, *who have given false evidence against a neighbour, or who have spoken ill of him, or injured his character in any respect?*

A. They must repair the injury done him as far as they are able, and make him satisfaction by restoring his good name as soon as possible, otherwise the sin will never be forgiven them.

In the 21st are the following questions and answers, which are in keeping with those quoted above:

Q. How am I to love my neighbour as myself?

A. *As you would*, says Christ, *that men should do unto you, do you also unto them in like manner*. (Luke vi. 31.)

Q. What particular duties are required of me by that rule?

A. Never to injure your neighbour by word or deed in his person, property, *or character:* to wish well to him, as far as you are able, in his spiritual and corporal necessities.

Q. Am I obliged to love my enemies?

A. Most certainly. *Love your enemies*, says Christ, *do good to them that hate you, bless them that curse you, and pray for them that persecute and calumniate you.* (Luke vi.; Matt. v.)

I shall conclude this catechetical instruction, which exhibits our relative duties, with two questions and answers, which conclude the 17th chapter.

Q. Who is my neighbour?

A. Every human being.

Q. Am I to consider those persons who are opposed to the true religion as my neighbours?

A. Yes, undoubtedly: to punish for voluntary error is the prerogative of God; to show mercy and kindness to his fellow-mortals is the duty of man. (Luke x. 37.)

Now, sir, I leave to yourself and the "two gentlemen of the bar" to decide in which category you will place the attempt to confound the two classes of oaths which every jurist distinguishes, and to apply a maxim which regards an oath to observe local statutes, to an oath to give true testimony. I shall not call it "knavery," or "folly," or fraud. I shall leave to our readers to form their own opinion.

Your opinion of the applicability of Paley's reasoning is not mine. It is for our readers to judge which is correct. The case of the patriots of the Revolution I consider quite in point. The Protestant princes, I shall suppose, considered the principles of the Roman Catholic Church to be abuses substituted for the original, pure institutions of the Saviour. The council considered the bad customs of a minority of some of the chapters to be abuses substituted for the original sound institutions by which they were established. The bishops were sworn to observe the principles of the church; the members of the chapters were sworn to observe the customs of their churches. The Protestant princes said that an oath to sustain an abuse against the pure, original institution should not be obligatory on the bishops. The council said that an oath to sustain an abuse against the original, sound institution was perjury, and no oath. I apprehend there never was a more perfect parallel.

Your paragraph marked 3, is, in my view, one of the most unfortunate that has escaped from your pen.

Faber quotes a couple of lines out of a canon which contains about twenty; by separating the proposition which his extract contains from the context which surrounds it, he takes a dishonest occasion of extending its application beyond its meaning in the canon, without giving the deceived reader an opportunity of detecting his imposture. I quote every word of the canon, and you tell me that I am equally guilty of dishonest garbling as he was. I thank you, sir, for your courtesy; and I appeal to our readers from your injustice!

You say that what he quoted was the *general rule recognised as law by the whole church.* It was, sir, but only for that class of cases to which it is applicable. That class, sir, was the particular one, of oaths to observe local statutes, or customs of particular churches. It extended generally to each individual case of this class, but not beyond that class itself; and the dishonesty consisted in representing it to extend to other classes, for instance, to oaths of witnesses. I shall, in another place, notice more fully your exemplification of "destroying heretics." For the present I tell you that this council made no "ordinance obliging Catholics to destroy as heretics all who would not join the church." The argument you found on this supposition, is, therefore, baseless; for, first, the fact is not as you state or suppose—and next, if the fact were as you suppose, the maxim would not apply to such a case.

Your next effort in this same paragraph is to extend the application of the maxims to oaths of allegiance. They are of a different class altogether. They are based

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upon a contract between him to whom the oath is taken and those who take it. The King of England, by his misgovernment of the old thirteen colonies, violated his duty; and thereby his subjects in these colonies were absolved from the obligation of their oaths. Other cases have arisen, in which, upon just principles, subjects were also thus absolved. I shall, in its proper place, show that, in your allusion to this, you are by no means sustaining your conclusion.

In your paragraph marked 4, you exhibit me unfairly. You charge me with sustaining the "shocking principle," that the maxim of law which refers to oaths to observe local statutes, extends to every oath. Sir, I sustain no such principle. You exhibit me as making the Roman Catholic Church, in 1179, claim a power to destroy the first principles of morality; and for this purpose you put into my mouth a semblance of reasoning which I never used.

My argument, sir, would have been more fairly put in this way. Man's first duty is to observe the divine law; but the divine law requires that an oath shall bind when it is taken in truth, in judgment, and in justice,—and that it shall not bind when either of these conditions is wanted. The divine law is paramount to every other law, constitution, tribunal or authority. Therefore no law, constitution, tribunal or authority, can allow a man to swear falsely, to swear in support of injustice, or to swear rashly, or injudiciously, or profanely. No tribunal, civil or ecclesiastical, can do what God himself could not do! he cannot do what is incompatible with his divine attributes; the sanctioning of perjury would be incompatible therewith, and therefore no tribunal could sanction it. This was my reasoning, and I cannot feel you treat me justly in your effort to distort it. Badly and ambiguously as I write, I do not wish for such a commentator as you are. I leave your effort and my explanation in the hands of our readers. I never said that the enactments of the church were of the same force as the divine law. I never said that the utility of the church was of the same force as the divine law; and therefore you have untruly attributed to me the contents of your 3d specification, which you call my argument. The value of the conclusion which you draw under the 4th specification depends upon the truth of the contents of the 3d. Its contents are untrue.

Sir, Europe and America, I may add Asia and Africa, indeed I may say, heaven and earth, have, during upwards of two centuries, witnessed the practical refutation of the cruel libel which you copy from Mr. Faber. It is written, sir, by the hand of desolation in characters of plunder, of blood, of confiscation, of tyranny and ruin, to which paganism affords no parallel; and in the midst of the appalling exhibition, Protestantism proclaims to the universe that the strongest bond upon a Catholic is the respect in which he holds the sanctity of an oath!

When the genius of Protestant ascendency sought the ruin of Catholics in England, in Ireland, in Scotland, and in the British colonies, its most formidable weapon was an oath! They who took it were to receive the dignities of the state, the wealth of the land, the honours of the world. They who refused it, saw themselves doomed to the loss of their goods, the confiscation of their estates, the degradation of infamy, the exclusion from power and from place, to prison, to banishment, and to death. What you would call the utility of their church, would be promoted by their perjury; at intervals their pitying friends proposed ambiguous modifications to be substituted for the words to which they objected. Their church proclaimed the unchanged truth; it is criminal to palter with ambiguity. You must swear according to the ascertained and published intention of him who proposes the oath. They respect the oath, and they and their descendants in successive millions through succeeding generations, have been the victims to their veneration for an oath! The Protestant rulers knew their principles, and they profited by the knowledge; they were enriched by their property, they were stained by their blood, and in the worst spirit of criminality, they added calumny to cruelty, and proclaimed to the astonished world, that their victims, who had sacrificed everything to their respect for an oath, could be bound by no oath, when there was question of the utility of their church!! Mr. Faber has garbled dishonestly a canon to sustain the calumny, and Mr. Fuller distorts my statements to protect him!

As you kindly shoot a couple of arrows at me upon your departure, I cannot but make my acknowledgments.

You talk of destroying heretics, and of deposing monarchs. They are thread-bare themes in Europe; but every day convinces me that we shall still unfortunately have to go over the ground for years in America. Be it so!

Nearly fourteen years have elapsed since I had the honour of addressing our Congress upon these, as well as other topics. At the request of some of the members, I wrote and published the substance of what

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I said on that occasion. I shall beg leave again to use my own words. I apprehend that you attributed to the third Council of Lateran held in 1179, the canon of the fourth, held in 1215. Speaking of it, I said:

"We now come to examine what are called the persecuting laws of our church. In the year 1215, at the Council of Lateran, certain heresies were condemned by the first canon; and amongst other things, this canon recites as Catholic faith, in opposition to the errors of those whom it condemned: that there was but one God, the creator of all things, of spirits as well as bodies; the author of the Old Testament and of the Mosaic dispensation, equally as of the New Testament and of the Christian dispensation; that he created not only the good angels, but also the devil and the bad angels, originally coming good from his hand, and becoming wicked by their own malice, &c. In its third canon it excommunicates those heretics, and declares them to be separated from the body of the church. Then follows a direction, that the heretics so condemned are to be given up to the secular powers, or to their bailiffs, to be duly punished. This direction continues to require of all bishops, and others having authority, to make due search within their several districts for those heretics; and if they will not be induced to retract their errors, desires that they should be delivered over to be punished. There is an injunction, then, to all temporal lords to cleanse their dominions, by exterminating those heretics; and if they will not, within a year from having been so admonished by the church, cleanse their lands of *this heretical filth*, they shall be deprived if they have superior lords; and if they be superior lords and be negligent, it shall be the duty of the metropolitan and his provincial bishops to excommunicate them; and if any one of those lords paramount so excommunicated for this negligence, shall continue during twelve months under the excommunication, the metropolitan shall certify the same to the Pope, who, finding admonition useless, shall depose this prince, and absolve his subjects from their oaths of fealty, and deliver the territory over to Catholics, who, having exterminated the heretics, shall remain in peaceable possession.

"This is the most formidable evidence adduced against the position which I have laid down, that it is not a doctrine of our church, that we are bound to persecute those who differ from us in belief. I trust that I shall not occupy very much of your time in showing that this enactment does not in any way weaken that assertion. I shall do so, by satisfying you that this is a special law for a particular case; and also by convincing you that it is not a canon of the church respecting any of those points in which we admit her infallibility; nor is this order a canon of the church.

"The doctrines condemned in the first canon originated in Syria, touched lightly at the islands of the Archipelago, settled down in Bulgaria, and spread into the south of Europe, but were principally received in the vicinity of Albi, in France. The person condemned held the Manichean principle of there being two creators of the universe; one a good being, the author of the New Testament, the creator of good angels, and generally of spiritual essence; the other evil being, the creator of bodies, the author of the Mosaic dispensation, and generally of the Old Testament. They stated that marriage was unlawful, and cooperation with the principle of evil was criminal. The consequences to society were of the very worst description, immoral, dismal, and desolating. The church examined the doctrine, condemned it as heretical, and cut off those who held or abetted it, from her communion. Here, according to the principles which I have maintained before you, her power ended. Beyond this we claim no authority; the church, by divine right, we say, infallibly testifies what doctrine Christ has revealed, and by the same right, in the same manner decides that what contradicts this revelation is erroneous; but she has no divine authority to make a law which shall strip of their property, or consign to the executioner those whom she convicts of error. The doctrine of our obligation to submit does not extend to force us to submit to an usurpation; and if the church made a law upon a subject beyond her commission for legislation, it would be invalid; there would be no proper claim for our obedience: usurpation does not create a right. The council could by right make the doctrinal decision, but it had no right to make the temporal enactment; and where there exists no right to legislate on one side, there is no obligation of obedience on the other. If this was then a canon of the church, it was not one in making which she was acting within her constitutional jurisdiction, it was an usurpation of temporal government, and the doctrine of infallibility does not bear upon it.

"Every document respecting this council, the entire of the evidence regarding it, as well as the very mode of framing the enactments, proves that it was a special law regarding a particular case. The only per-

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sons whose errors were condemned at that council, were those whom I have described. The general principle of legal exposition, restraining the application of penal enactments, must here have full weight, and will restrain the application of the penalty to the only criminals brought within its view. But the evidence is still more confirmed by the special words of definite meaning, *this*, and *filth*, which were specially descriptive of only those persons; the first by its very nature, the second by the nature of their crime; and the continued exposition of the enactment restrained its application to the special case, though frequently attempts have been made by individuals to extend its application, not in virtue of the statute, but in virtue of analogy. It would then be improperly forcing its construction, to say that its operation was to be general, as it evidently was made only for a particular case.

"In viewing the preamble to this council, as well as from our knowledge of history, we discover that this was not merely a council of the church, but it was also a congress of the civilized world. The state of the times rendered such assemblages not only usual, but necessary, and each legislative body did its own business by its own authority; and very generally the subjects which were decided upon by one body, in one point of view, came under the consideration of the other assembly in a different point of view, and their separate decisions were often engrossed upon a joint record. Sometimes they were preserved distinct and separate, but copyists, for their own convenience, brought together all the articles regarding the same subject, from what source soever they were obtained. Such was precisely the case in the instance before us. There were present on this occasion, by themselves or by their legates, the King of Sicily, Emperor-elect of the Romans, the Emperor of the East, the King of France, the King of England, the King of Arragon, the King of Jerusalem, the King of Cyprus, several other kings and lords paramount, sovereign states, and princes. Several of the bishops were princes or barons. In the ecclesiastical council, the third canon terminated exactly in one sentence, which was that of the excommunication or separation from the church, of those whom the first canon had condemned, whatever name or names they might assume; because they had in several places several appellations, and were continually dividing off and changing names as they separated. The duty and the jurisdiction of the council came to this; and the ancient records give no more as the portion of its enactments. But the congress of the temporal powers then made the subsequent part of their enactment: and thus this penal and civil regulation was not an act of the council, but an act of the congress; and it is not a canon concerning the doctrine of the church, nor indeed is it by any means a canon, though the copyists have added it to the canon, as regarding the very same subject; and as confessedly the excommunication in the third canon regarded only the special case of those particular heretics, the addition of the penal enactment to this particular canon, is confirmatory evidence that those who added to it knew that the penalty, in the one case, was only coextensive with the excommunication in the other.

"Having thus seen that this canon of the Council of Lateran was not a doctrinal decision of our church, establishing the doctrine of persecution, and commanding to persecute, but that it was a civil enactment by the temporal power against persons whom they looked upon as criminals, it is more the province of the politician or of the jurist, than of the divine, to decide upon its propriety. I may, however, be permitted to say, that, in my opinion, the existence of civilized society required its enactment, though no good man can approve of several abuses which were committed under the pretext of its execution, nor can any rational man pretend, that because of the existence of a special law for a particular purpose, every case which may be thought analogous to that for which provision was made, is to be illegally subjected to those provisions.

"We are now arrived at the place where we may easily find the origin and the extent of the papal power of deposing sovereigns, and of absolving subjects from their oaths of allegiance. To judge properly of facts, we must know their special circumstances, not their mere outline. The circumstances of Christendom were then widely different from those in which we now are placed. Europe was then under the feudal system. I have seldom found a writer, not a Catholic, who, in treating of that age and that system, has been accurate, and who has not done us very serious injustice. But a friend* of mine, who is a respectable member of your honourable body, has led me to read Hallam's account of it, and I must say that I have seldom in such a book met with so much candour, and, what I call, so much truth. From reading his statement

* Col. William Drayton.

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of that system it will be plainly seen that there existed amongst the Christian potentates a sort of federation in which they bound themselves by certain regulations, and to the observance of those they were held not merely by their oaths, but by various penalties, sometimes they consented the penalty should be the loss of their station. It was of course necessary to ascertain that the fact existed before its consequences should be declared to follow; it was also necessary to establish some tribunal to examine and to decide as to the existence of the fact itself, and to proclaim that existence. Amongst independent sovereigns there was no superior, and it was natural to fear that mutual jealousy would create great difficulty in selecting a chief: and that what originated in concession might afterwards be claimed as a right. They were, however, all members of one church, of which the Pope was the head, and, in this respect, their common father; and by universal consent it was regulated that he should examine, ascertain the fact, proclaim it, and declare its consequences. Thus he did in reality possess the power of deposing monarchs, and of absolving their subjects from oaths of fealty, but only those monarchs who were members of that federation, and in the case legally provided for, and by their concession, not by divine right, and during the term of that federation, and the existence of his commission. He governed the church by divine right, he deposed kings and absolved subjects from their allegiance by human concession. I preach the doctrines of my church by divine right, but I preach from this spot not by that right, but by the permission of others.

"It is not then a doctrine of our church, that the Pope has been divinely commissioned either to depose kings or to interfere with republics, or to absolve the subjects of the former from their allegiance, or interfere with the civil concerns of the latter. When the persecuted English Catholics, under Elizabeth, found the Pope making an unfounded claim to this right, and upon the shadow of that unfounded right making inroads upon their national independence, by declaring who should or who should not be their temporal ruler, they well showed how little they regarded his absolving them from their allegiance, for they volunteered their services to protect their liberties, which their Catholic ancestors had laboured to establish. And she well found that a Catholic might safely be entrusted with the admiralty of her fleet, and that her person was secure amongst her disgraced Catholic nobility and gentry and their persecuted adherents; although the Court of Rome had issued its bull of absolution, and some divines were found who endeavoured to prove that what originated in voluntary concessions of states and monarchs was derived from divine institution. If then, Elizabeth, of whose character I would not wish in this place to express my opinion, was safe amidst those whom she persecuted for their faith, even when the head of the church absolved them from allegiance, and if at such a moment they flocked round her standard to repel Catholic invaders who came with consecrated banners, and that it is admitted on all hands that in so doing they violate no principle of doctrine, or of discipline of their church, as we all avow: surely America need not fear for the fidelity of her Catholic citizens, whom she cherishes, and whom she receives to her bosom with affection and shelters from the persecution of others. Neither will any person attempt to establish an analogy between our federation and that of feudalism, to argue that the Pope can do amongst us what he did amongst European potentates under circumstances widely different."

I now, sir, have noticed as briefly as I could your charge, and I receive your exhortation as I should all such addresses, with the disposition to reap from it as much useful instruction as it can impart, without regarding what was the motive with which it was given; and still farther feeling the obligation of supposing that motive good, until I shall have evidence to the contrary.

Reciprocating your expressions of charity and kind feeling,

I have the honour to be, reverend sir,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., September 23, 1839.

(From the Courier of October 4, 1839.)

To the Right Reverend Bishop England.

REVEREND SIR:—I have the honour to acknowledge the receipt of two long communications from you since my last—one containing much Billingsgate abuse of Protestants by the editor of a furious Roman Catholic newspaper in Cork—and the other kindly furnishing me with copious extracts from an oration by yourself. As to the latter, it would be a cruelty quite revolting to my feelings, I assure you, to disturb the complacent satisfaction with which you regard your production. I once heard, in this town, your efforts to modify and mitigate the practices of Romanism; and I then

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charitably hoped there might be something in them. I have since, however, visited Rome; and I need not tell you with what emotions I should *now* listen to these ingenious and ambidextrous essays. The passage of your address, with which you favour me, must have provoked a smile from those of your audience who were acquainted with facts. And you did well to anticipate the verdict of history and to cover and protect your assertions, by shrewdly observing that you "had seldom found a writer, not a Catholic, (you ought to have said, too, an *expurgated* Catholic) who, in treating of that age and that system, has been accurate"—that is, they all contradict *your* statements.

In reference to the Cork Reporter, and its virulence—of which you are so enamoured that you have italicised all the profusion of scurrilous epithets, I beg leave to remark, that I wish to see the other side before I form any opinion. I, sir, am neither an Irishman nor a Roman Catholic, but were I both, as you are, I could never think of Ireland without anguish of soul. Only read, I pray you, the appalling testimony recorded in several late numbers of Blackwood, and our hearts beat very differently, if you do not weep for the beautiful, but blighted island which gave you birth, and blush for the professors of your religion there. I do entreat our readers to procure from Mr. Berrett's at least *one* number of Blackwood—that for February, 1839—and study the article "*Ireland under the Triple Alliance;*" and then, to look at your homily upon the martyrs to integrity and truth! the heroes—whose glory is blazoned "by the hand of desolation in characters of plunder, of blood, of confiscation, of tyranny, of ruin, to which paganism affords no parallel," (were you thinking of the St. Bartholomew's massacre, or of the Inquisition when you wrote this? it might pass for a tolerable description of either,) and on whom "Protestantism proclaims to the universe, that the strongest bond is the sanctity of an oath"—that is, an oath which the policy of Rome, and the priestcraft of the Vatican approves.

Your last letter reiterates the unfounded charge against Faber, and is garnished here and there, I am sorry to find, with some expressions, which show that in recovering your prolixity, you have lost your temper. This should not have been: St. Paul says, "A bishop must not be soon angry." The public must judge of the Lateran decree and your commentary upon it. Mr. Faber may, I think, confidently submit to the decision of all who will examine the canon, and look to its practical exposition in the conduct of your church—for example, the perfidious treachery by which John Huss was decoyed to the Council of Constance, and cruelly murdered. For myself, I perceive clearly that your council and doctrines are even more accommodating in "dodging places," than the court of Rome, and that to pursue you farther, will be only a waste of time, for which I have other and more congenial employment. What? that "heretics were to be extirpated," only a "special law" too!! This, sir, is venturing *too far*, even for you.

When I said that it would be as unfair in me to accuse you of garbling, as it was in you to impute this dishonesty to Faber, I never deemed it possible for you to wrest my words into anything like discourtesy. And it appears, sir, to me that a little more courtesy, on your part, would have suppressed the terms "injustice" and "distort," which you use; and, even, if I misconceived your argument have found apology in your own, I will not call it studied obscurity. I always thought it a hard case, that Daniel should have been required, not only to interpret the dream of King Nebuchadnezzar, but to discover what the dream was? Let this, however, pass. I rejoice sincerely at your disclaimer of sentiments, which I before declared myself "unwilling to believe you would continue to uphold, whatever the Lateran Council may have taught." And I leave our readers to compare your first argument, with this last and expurgated version of it.

I have the honour to remain,
Reverend sir,
Your most obedient and humble servant,
RICHARD FULLER.

Beaufort, S. C., Sept. 28, 1839.

(From the Courier of October 9, 1839.)

To the Reverend Richard Fuller, Beaufort:

REVEREND SIR:—When your last letter appeared upon the Courier, I was scarcely able to read, and totally unable to write. I take advantage of the first moment that a return of health permits the use of my pen to pay my respects to your production. Some of my friends have sought to dissuade me from answering that letter, but I differ from their opinion, not in the hope of inducing you to change your view, but to afford to those who may think proper to read what I publish, the means of judging more correctly of the value of your assertions.

In your affecting to take leave of me, you

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have hitherto contrived to fling some new weapon, and thus afforded occasion to continue what you profess a desire of terminating. You have thus brought John Huss, and the Council of Constance to support Mr. Faber. You have given to me the massacre of St. Bartholomew's and the Inquisition, as subjects of meditation; and you have advised me to weep for the beautiful, but blighted island that gave me birth, and to blush for the professors of my religion there. All this, sir, is new matter; and I shall not, whatever may be the labour, the inconvenience, or the expense, leave it without those observations which I consider are demanded by the position which I occupy, and the just expectations of some of my fellow-citizens.

I begin with John Huss and the Council of Constance. You say, that you look for the practical exposition of the Lateran decree, in the conduct of my church, "for example, the perfidious treachery by which John Huss was decoyed to the Council of Constance, and cruelly murdered."

The statement given by several Protestant writers, is, that John Huss was invited to the city of Constance, under the assurance by the Emperor Sigismund, and by the council, that he should have full protection in going thither, in remaining there, and pleading his cause, and in returning home unmolested, whether he should be found guilty or innocent of the charges alleged against him. That he had the safe-conduct, not only of the Emperor but of the Pope and council to this effect, and came to Constance, relying upon their plighted faith, and that he would not have come except upon this guaranty, and having been thus *decoyed*, he was in a *treacherous* way *perfidiously* and cruelly *murdered*, having been burned *in execution of a sentence passed by the council*. I know not how many of these allegations you are disposed to sustain, but I give your own words above.

I shall now examine this charge, as briefly as I can, and though I could avail myself of a host of witnesses, chiefly Catholic, I shall confine myself to the testimony of a Protestant writer, L'Enfant, who compiled a history of this council, which he dedicated to Frederic William, King of Prussia, in 1713.

The assertion that the Pope and council gave a safe-conduct, rests upon the unsupported surmise of, I believe, Dr. Cave: others have repeated it. But L'Enfant informs us,(1) that John Huss arrived in Constance, on the 3d of November, 1414, the very day on which the council was to have been opened, and when it was not yet organized, and had done no act whatever, of course had give no guaranty. He tells us(2) that on the day after the arrival of Huss, two Bohemian lords who had escorted him waited on the Pope, and informed him that John Huss had arrived, and had the safe-conduct of the Emperor Sigismund, and requested the Pope's protection. That they were kindly received, and assured by the Pope that he would protect Huss against any injustice so long as he would remain in Constance. Thus it is clear that he was not *decoyed* to that city by any protection from the Pope or the council. L'Enfant adds, that Huss wrote to his friends that he not only had full liberty, but that the Pope absolved him from an excommunication which he had previously incurred, upon condition that he would not attempt to officiate or to preach in Constance. The council was not opened until the 5th of November.(3) Thus he had arrived in Constance without any guaranty from the Pope, and without any from the council, and two days previous to the organization of that assembly; and the extent of the Pope's promise after his arrival was that he would protect him against injustice. If then he was decoyed to Constance it was not by the Pope or by the council. Neither L'Enfant, nor any of the authors whom he consulted, and they were chiefly Hussites, alleges that he had any other guaranty save that given by the Emperor; and when the Bohemian lords demanded that he should be heard publicly before the council in his defence, they do not allege that he had any protection from that assembly, but they pleaded that the Emperor gave him a safe-conduct with an assurance that he should be heard before the fathers,(4) and, in the previous paragraph,(5) an elaborate argument is used to show that only one safe-conduct, viz., that of the Emperor, was ever given. And(6) John Huss himself, alleges his having come to the council of his own accord, and with the safe-conduct of the Emperor, and never alludes to any other. Thus the assertion that he was decoyed by the promise of protection and with the guaranty and safe-conduct of the Pope and council is a pure invention; and not only void of foundation in fact, but as ridiculous as unfounded, because the giving of such a passport and protection would be not an attribute of the Pope and council, but of the temporal government.

I now proceed to examine whether he was decoyed to Constance by the document which he received from Sigismund.

L'Enfant informs us(7) that in consequence of his having been charged with

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divers errors and heresies, he had appealed to the council; he was cited to appear there, he was anxious to have the opportunity of defending himself, for he was conscious of his innocence, and that had he not gone, it would seem as if he had no confidence in the justice of his cause, and relied upon the support of the great men of Bohemia to sustain him in opposition to his superiors. In the next paragraph,(8) he informs us that when the period for the meeting of the council approached, he took the proper measures for his defence, and that in the month of August, 1414, he requested and obtained certificates of his orthodoxy from Conrad, Archbishop of Prague, and from the Bishop of Nazareth, inquisitor of the faith in Bohemia. In this same month, a provincial council was held at Prague, to which he demanded admittance, for the purpose of explaining his doctrine, and to notify the members that he was about to proceed to Constance for the same purpose. Admittance was refused, and he procured a notary to certify this refusal, and had it subscribed by many witnesses, and copies of it posted up in the most public places in the city. In that posted at the palace gates, he states his determination to go to Constance, and present himself for examination to the council, and if he should there be convicted of heresy, he would not refuse to submit to all the pains and penalties enacted against heretics.

He left Prague on or about the 11th of October,(9) and the date of the safe-conduct or passport, which he got from Sigismund, was a week later, October 18, as appears from the copy given by this historian.(10) John Huss did not receive it until he arrived at Nuremberg, on the 22d, so that he was not *decoyed* by this document, to set out upon a journey, in which he had been already engaged ten or eleven days, and for which he had been preparing more than three months, and of which he had already accomplished one-half, and was now at a considerable distance beyond the Bohemian frontier.

The next question regards the nature of the safe-conduct. Was it a document to insure pardon and impunity to a man, charged with a crime, should he be found guilty, or merely to protect him from illegal violence? If it were of the first description, the process of his trial would be a farce. His own declarations, in the notices which he gave at Prague and elsewhere, showed that he was aware of the laws by which heretics were punished in that territory, and that under which he suffered had been enacted, nearly two centuries before, by Frederic II. I am no advocate for the law itself. I feel equal disgust at the burning of Huss as I do at the burning of Servetus. The question is not whether the law was just, or wise, or humane, but whether the punishment of Huss was a *treacherous violation* of the public faith, by the Council of Constance, or only an execution of a law, then in force, by the proper officers.

It is, I believe, a well-known maxim of legal interpretation, that a document, containing only general expressions of protection, such as are used on ordinary occasions, cannot be pleaded as a pardon, or a protection against a legal process. Now the safe-conduct, as given by L'Enfant, is no more than a common passport to John Huss, going from Bohemia to the Council of Constance, to go, to remain, and to return, with this special addition, that neither he nor his companions were to be charged anything on their journey, for dues or customs, and were to be furnished, honourably and sufficiently, with every necessary, free of expense. And as the Emperor Sigismund had written to Wenceslaus, King of Bohemia, to send Huss to the council, to which he had appealed, and to appear before which he had been cited, there was no *decoying*, but an open order, and the passport was given to protect him on his way thither, and to furnish him with the means of going, so that he might prosecute his appeal, and abide the judgment of that tribunal. The passport does not contain a single expression which would even insinuate that the bearer was to be exempted from the operation of the law. If it were a protection and a pardon, it would be a ridiculous farce, and wanton waste of time, to hold a trial, yet he went to take that trial. L'Enfant labours hard to draw a different conclusion, and to convict Sigismund of a breach of faith, but he cannot change the nature of the facts which he is obliged to admit. He gives us abundant evidence, that Huss himself, though trusting to an acquittal, feared for the result at Constance, and he tells us, that though Huss had many enemies in Germany, from whom he had much to fear, on the way, except he had the Emperor's protection; yet, they were so certain of his conviction, that they were not likely to molest him on his way to trial. He also tells us, that in a sort of will, which he wrote to one of his friends, previous to his leaving Prague, he wrote on the envelope, that it was not to be opened until certain news of his death should be received. He also tells us of another letter, written to another friend, in which he states that he is aware of the

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number of enemies he must encounter at Constance, and begs that the friends of truth would pray for him, that he might persevere in his resolution of suffering the last punishment, sooner than betray the Gospel by his weakness. Again, he requests that they should aid him by their prayers, that if condemned, he may glorify God by a Christian death, or if it should be given to him to return to Prague, he may return innocent, to labour with renewed zeal in extirpating the doctrine of Antichrist. Thus he went to Constance with a full knowledge of his precise position, and was not *decoyed* thither.

We have his own testimony in one of his letters that the Pope absolved him from an excommunication previously incurred, but on certain conditions. L'Enfant(12) does not acknowledge that Huss violated the conditions, yet he establishes the fact in an effort to mitigate the offence. He says that, relying upon the emperor's protection, and the word of the Pope, "il y parloit avec assez de liberte, soutenant sa doctrine, soit dans ses conversations, soit dans les ecrits qu'il composoit." *He spoke with abundant liberty, sustaining his doctrine, as well by his conversations as by written compositions.* This was a glaring violation of the condition that he should not dogmatize, but quietly wait to justify himself to the council. It is also acknowledged that he violated another condition, by celebrating Mass publicly every day. One thing is evident: that he had been excommunicated previously, and we have only his own assertion that he was relieved from this censure; and we have the allegations of contemporary historians who took part in the proceedings of the council that he was not relieved from that censure: L'Enfant, does not believe their assertion. Neither does he believe their statement that Huss made an effort to escape from Constance, and was brought back a prisoner. He was, after an examination, placed in custody, his friends say, without any sufficient ground, and in violation of the safe-conduct. Their opponents state abundant reasons for this proceeding. After a variety of examinations, some of his friends foreseeing what the result must be, sought to catch at the only pretext which they could turn to any account, and pleaded that the Emperor had promised to protect him. It is fair to allow the emperor to speak for himself. On the 1st of January, 1415, in a public assembly, he answered a request of the commissaries of the cause of religion, amongst other things(13), "That the council was free in all that regarded faith, and that it could proceed according to the usual rules against those who were notoriously attainted for heresy, and judge them according to their deserts, after having given them a public hearing, and as regarding the threats which had been made in certain places and in certain writings in favour of John Huss, his majesty had forbidden their being carried into effect, and would still prevent it if necessary."

One thing was plain, that no law or act of any temporal power could prevent the council from exercising its inalienable right of deciding whether a person taught the doctrine delivered by Christ to the church, or what contradicted it: but the temporal punishment of the person condemned for heresy, was not within the competence of the council, and was altogether a matter for the civil government. The emperor could not rightfully interfere in the doctrinal examination and decision, but it lay with him whether he would inflict bodily punishment upon the person condemned by the council. There is no evidence that Sigismund ever promised to save Huss from the operation of the law of Frederic.

It was now too plain that Huss must be condemned unless he retracted, and no effort was spared to induce him to make the necessary retractation; his answer generally was, that when he should be convinced that his doctrines were erroneous, he would retract, but not otherwise. He was, by order of the emperor, brought before the council, and the historian L'Enfant informs us that the session broke up after much tumult. His second public audience was on Friday, the 7th of June, 1415; the emperor was present, and the audience was very long. At its termination,(14) the emperor says, respecting the safe-conduct, "under the protection of which we have placed you, to the end that no wrong should be done to you, (qu'il ne vous fut fait aucun tort,) and that you may speak freely and give account of your faith (rendre raison de votre foi) in full council." Thus we have from Sigismund himself, in his address publicly made to Huss, the testimony of the nature of the document. And he proceeds to say that the cardinals and bishops had answered so well to his intentions that he knows not how to thank them. He then exhorts Huss to submit to the council upon those articles which have been so well and so solidly proved against him, and that he will himself do his utmost to have him return with honour and in safety. He warns him, on the other hand, that if he did not submit, the council must do its duty in condemning him, and that the emperor, so far from sustaining him in his errors and obstinacy would sooner, with his

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own hands, light the fire for his punishment, than tolerate him longer. Huss began by thanking the emperor for his safe-conduct, but one of his chief supporters, John de Chlum, stopped him, and urged him to disprove the charge of obstinacy, which he undertook by repeating that he had willingly come to retract errors if the council could convince him that he had taught any.

On the next day he had a third public audience, which occupied the entire day, but with no better results. Before the separation of the council, after Huss had retired, the Emperor addressed the fathers, stating that the guilt of the accused appeared to him so manifest by the testimony of the witnesses and his own avowals, and the charges were so grievous, that even if he were now to retract, his return to Bohemia would be the ruin of that kingdom; and that the principles were so pernicious that they should be nowhere tolerated. They were congenial to those of the Lollards in England, of whom I need give no description to those who have read an account of the reign of Henry V.

With such evidence before any dispassionate reader, I should think he would consider it very unreasonable to charge upon the Pope and Council and Emperor, that they had *decoyed* John Huss to Constance, or that they acted with *perfidious treachery*, in trying the appeal which he made himself by a process of law with which he was fully acquainted; and in endeavouring to save him from its effects by using all means to induce him to retract the principles, the maintenance of which exposed him to death. Nor do I believe that any impartial inquirer will charge Sigismund with a breach of faith, in not saving from legal punishment a convict to whom he gave a passport protecting him from wrong or injury on his journey to the place where he was to take his trial.

On the day after his third audience, an exceedingly modified form of retractation and submission was presented to Huss,(15) upon the signing of which the impending danger would be averted, but he refused to sign. On the 1st of July a deputation of two cardinals, and a number of prelates presented to Huss, whose life they were anxious to save, another form of submission, which he refused.(16) On the fifth of the month, the Emperor sent four bishops with two of Huss's particular friends to make a last effort, but in vain. The conclusion which several Protestant historians endeavour to draw from these repeated efforts is, that the Emperor had his conscience troubled because of his having violated the safe-conduct. On the other hand, the conclusion is drawn that these efforts were the evidence of the reluctance which existed on the part of those, in whose hands the unfortunate victim was placed, to execute a severe law which they felt it was their duty to carry into effect.

The case of Huss is one on which much declamation has been expended without a sufficient acquaintance with the facts; and I have therefore preferred being prolix that I may furnish our readers with sufficient data to form a correct judgment, and to see the grounds upon which I assert, 1st. That this unfortunate man was not *decoyed* to Constance. 2d. That neither the Pope nor council gave him any safe-conduct or guaranty. 3d. That the passport of Sigismund was only a protection for his journey and against injustice, and not a pardon, or a protection against due process of law. 4th. That his trial was according to the well-known forms, upon his own seeking, and that he was fully aware of the penalty which the laws of Frederic attached to his conviction. 5th. That so far from an effort having been made by *perfidious treachery* to procure his *murder*, many delays were interposed and a variety of efforts were made to avoid the necessity of having him subjected to the legal penalty of death.

On the 6th of July, Huss having been brought before the council and the usual process gone through, two sentences were promulgated: the first against his books, which were condemned and ordered to be burned; the second against himself,—that he, being convicted as an obstinate and incorrigible heretic, should be degraded from his orders, and deprived of his clerical privileges. The form for executing this sentence was gone through in the church where they were assembled. The authority of the council ended here, they had no power over his body. The Emperor ordered the Elector Palatine to carry into execution the law of the empire as was his duty, and the magistrates of the city of Constance had it executed not however, until, even at the fatal stake, repeated efforts were made by the Elector Palatine, and Count Oppenheim, the marshal of the empire, to induce him to save his life by a retractation, which he would not make.

Sir, my soul is not one of those which rejoice in scenes of fire and of blood. I condemn the errors of John Huss. I lament his fate, but deny that he was decoyed to Constance, or that he was treated with perfidy. To me it is matter of singular consolation that those bloody laws, which Catholics and Protestants both made for the purpose of persecution, have been nearly obliterated; but I deeply lament that in our republics, where political liberty has established her

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throne, so much of the bitter spirit which gave to those laws existence and virulence should still remain; and it is one of the phenomena which, though apparently strange, is still easily accounted for, why the Catholic Church, which was the first to proclaim religious liberty within our borders, is that which has at all times experienced more or less persecutions, and is to-day, in our republics, the object of so much misrepresentation and obloquy.

I have the honour to remain, reverend sir,
Your obedient and humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., October 8, 1839.

(1) L'Enfant, Hist. Council Constant. Liv. i. § 21. (2) l. i, § 28. (3) l. i, § 30. (4) l. i, § 60. (5) l. i, § 59. (6) l. iii, § 47. (7) l. i, § 25. (8) l. i, § 26. (9) l. i, § 27. (10) l. i, § 41. (11) l. i, § 27. (12) l. i. 37. (13) l. i, § 57. (14) l. iii, § 6. (15) l. iii, 13. (16) l. iii, § 36.

(From the Courier, of October 10, 1839.)

To the Reverend Richard Fuller, Beaufort:

REVEREND SIR:—I regretted to find that you had been so far carried away by the misrepresentations of the writers in Blackwood, as to use against an oppressed people the phrase of contemptuous irony, in which the domineering tories of Great Britain and their retainers insult the Catholics of Ireland, "martyrs to integrity and truth," "heroes whose glory is blazoned by the hand of desolation in characters of plunder, of blood, of confiscation, of tyranny and ruin, to which paganism affords no parallel." Sir, I shall not impute it to a disposition to insult. I attribute it to your having been misinformed: as you certainly must have been, when you rely upon the statements of Blackwood's Magazine respecting Ireland.

Sir, when I wrote the passage which you dove-tailed as above, to follow the undeserved taunt that you gave at its introduction, I was not thinking of St. Bartholomew's massacre, which was but the horrible butchery of a few hours, and for which the Catholic church is not answerable: but I was viewing the cool, deliberate, legalized, systematic persecution of ages. I was indeed thinking of an inquisition, which in a comparatively short period shed more blood within the compass of one island, than was shed of Protestant blood by all the auto-da-fés of the Inquisition in Catholic countries from the period of its creation to that of its abolition. I intended to describe the losses and the sufferings of the Irish Catholics, and amongst them those of my own ancestors, because they would not swear to what they did not believe. Sir, I am a native of Ireland, and I am a Catholic, and I cannot reflect without anguish of soul upon what I myself have seen in "that beautiful but blighted island, which gave me birth;" but so far from blushing for the professors of my religion there, I am proud of their history, and I glory in their conduct to-day. When the Catholics of Ireland held power in their hands, they never returned evil for evil to their persecutors. During the reign of Mary, when she retaliated upon those who persecuted and sought to deprive her of her crown, the Catholics of Ireland not only did not persecute the comparatively few Protestants that were in the country, but they received with open arms, and they protected and housed and fed great numbers of English Protestants who sought an asylum amongst them. When Elizabeth succeeded, they were scourged with scorpions. Read the description given by even their own enemies of their suffering under the Stuarts and the Protector. Again, when James II. fled from England, the Catholics of Ireland had the government of their island in their hands, and blotting from their memories the atrocities which covered their home with those evils which I attempted briefly to describe, not one Protestant suffered either in person or in property for his religion or the misdeeds of his party! Sir, I am proud of knowing that, in the body which thus made so Christian-like a use of their power, was a progenitor of mine, and I trust that you will not have the cruelty to disturb the complacent satisfaction with which I regard this honour! Blackwood has not informed you, that previous to subscribing the treaty of Limerick, by which the possession of their property, the freedom of their religion, and the enjoyment of their political rights, were guaranteed to the Catholics of Ireland; the men who stood ready on the part of those Catholics to subscribe, were told not to affix their signatures, for that a fleet was at the mouth of the river with such a force to aid them, as would enable them to sweep their enemies from the land; but that their answer was, "Though we have not written our names on the parchment, we have promised to do so; our faith and our honour are pledged to the contract. We cannot recede." They signed: so did their enemies. They disbanded their troops: they sent back the succours, they were scattered through the country. They found that no faith was kept with them: the description that I gave was but the faint exhibition of their children's endurance! Is it on my cheek that the blush should mantle?

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More than forty-five years have passed away since a man, then about sixty years of age, led me into a prison, and showed me the room in which he had been confined, during upwards of four years, in consequence of the injustice to which the Catholics of Ireland were subjected in those days of persecution. On the day that he was immured, his wife was seized upon by fever, the result of terror: whilst she lay on her bed of sickness, she and her family were dispossessed of the last remnant of their land and furniture: she was removed to the house of a neighbour, to breathe her last under a stranger's roof. Her eldest child had completed his 17th year a few days before he closed her grave. Two younger brothers and two younger sisters looked to him as their only support. He endeavoured to turn his education to account. It was discovered that he was a *Papist*, as the law contumeliously designated a Roman Catholic, and that he was guilty of teaching some propositions of the sixth book of Euclid to a few scholars, that he might be able to aid his father, and to support his family. Informations were lodged against him for this violation of the law, which rendered him liable to transportation. Compassion was taken upon his youth and his misfortunes, and instead of proceeding immediately to the prosecution, an opportunity was given him of swearing before the Protestant bishop, that he did not believe in the doctrines of transubstantiation, of penance, and of the invocation of saints; and the certificate of the prelate would raise a bar to his prosecution. This youth knew no principle of his church which could excuse his perjury. He escaped, and fled into the mountains, where he remained during more than a year, subsisting upon the charity of those to whose children he still communicated the rudiments of learning, but in the most painful anxiety as to the state of his father, brother, and sisters!

The declaration of American independence, and the successful resistance of the colonies, produced some mitigation of the persecutions which the Irish Catholics endured. This fugitive returned by stealth to the city, and was enabled to undertake the duties of a land surveyor, to have his parent liberated, his family settled, and he became prosperous. It is his eldest son who has the honour to inform you that he has good reason to feel anguish of soul at his own recollection of the oppression of Ireland. Few have, during upwards of twelve years of the administration of the Tory faction of England, had better opportunities of knowing thoroughly the source of her evils than he had. It is a revolting history. It is the history of the efforts of a bad and a hypocritical faction to perpetuate the power of a miserable minority to live in idleness, and affluence, and insolence, upon the labours and the degradation of the mass of the population.

Sir, I know the writers for Blackwood, some of them from their childhood. It is not long since, from some of their own compeers, I learned in London the history and the terms of their engagements. I was myself engaged for no inconsiderable period amongst the conductors of the public press in Ireland, and I well know the mode of manufacturing information for the Tory press of the British metropolis. And unfortunately, the information respecting Ireland, and especially respecting Irish Catholics, which our American editors generally select for diffusion through these republics, is from that portion of the English writers. Nor can it be said that there is a disrelish for it here. Hence the Irish Catholics are generally subject to the consequences of misrepresentations and mistake in a greater degree in the United States than they are even in the British islands. I am not then surprised at the incorrect views which you have taken, nor disposed to attribute to any innate hatred to Ireland the sneers with which you are pleased to treat those "martyrs to integrity and truth,"—the Catholic body of Ireland.

As my views of the massacre of St. Bartholomew's are pretty nearly the same as those expressed by the late Right Reverend Doctor Milner, I shall lay before our readers what he says upon the subject.*

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* EXTRACT FROM LETTER IV.

Of Milner's Letters to a Prebendary, On the Massacre of Paris, on St. Bartholomew's Eve.

"With respect to the horrid deed itself of blood and perfidy, I will not attempt to justify it, as the king, the queen-dowager, and their ministers did, at the time when it happened, by pretending that the Huguenots were on the point of executing a plot to destroy them, and to overturn the government,† because it is now clear from history that no such plot existed at that precise time. I will not even extenuate its atrociousness by expatiating on the two real conspiracies for seizing on this very king and his court, and for subverting the constitution of their country, which the Calvinists actually attempted to execute,‡ or on the four pitched battles which

† Maimburg, Hist. Calvin, l. vi.

‡ Those of Amboix and Meaux, the latter of which appeared so heinous in the king's eyes, that he vowed never to forgive it. The Huguenots had before, when they took up arms against him, in 1562, threatened him with the greatest indignities, namely, to whip him and bind him apprentice to a mechanical trade. (Ibid. l. iv) It appears from Thuanus, that his chief resentment was

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[The remainder of the letters, being occupied with subjects of temporary interest, irrelevant to the main question, are omitted.]

CONCLUSION.

Here, sir, I conclude. I leave before our readers what I have by a sense of duty been compelled to write. They who have had the patience to follow us will each for himself determine—

1st. Whether the Roman Chancery ever passed a statute making assassination, and murder, and prostitution, and every crime, subjects of license and taxation, and regulating the price at which each might be committed?

2d. Whether the Protestant editions of the Roman Tax-book are true copies of that work or have been glaringly interpolated?

3d. Whether you have adduced any evidence to sustain the charge against Sixtus IV., that he established brothels in Rome in order to put a tax upon them?

4th. Whether the third Council of Lateran made not only falsehood but perjury a virtue on behalf of the church?

5th. Whether G. S. Faber was guilty of dishonestly garbling the 16th canon of the third Council of Lateran?

6th. Whether the Council of Lateran taught as an article of Catholic doctrine that heretics are to be persecuted and destroyed?

7th. Whether it is a doctrine of the Roman Catholic Church that the Pope has the right and power by divine institution, in virtue of his office, to depose princes and to absolve subjects or citizens from the obligation of their allegiance?

8th. Whether the Pope and Council of Constance violated their public faith given to John Huss?

9th. Whether the Emperor Sigismund violated the public faith, pledged by the passport which he gave to John Huss, on his journey from Prague to Constance?

10th. Whether the wretched state of Ireland is to be attributed to the turbulence of its Roman Catholic population rather than the tyranny of their persecutors? And,

11th. Whether the conduct of the professors of my religion in Ireland is such as to call for blushes on my cheek?

Such are the questions which have arisen and been discussed. I am compelled to close, whether I will or not. And even should you rejoin upon any of those topics or introduce a new one, it is probable that I shall not be in this city when your remarks shall appear. My duties call me away from it immediately, if by any effort I can make arrangements to permit my absence. And even should I remain, or upon my return, other indispensable avocations will allow me no leisure, for some time, to write. This is, therefore, probably the last time that I shall address you. I desire that our separation may be in charity and peace. To our readers I leave to judge of the value of our productions: to that God who is to judge us, I commit the cognizance of our acts and their motives; whilst, for the last time,

I have the honour, reverend sir,
To subscribe myself,
Your obedient, humble servant,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., October 15, 1839.

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they had fought against the armies of their sovereign, or on their treachery in delivering up Havre de Grace, the key of the kingdom, into the hands of a foreign potentate, Queen Elizabeth; or even upon the massacres with which they themselves had previously inundated all France.* So far from this, I am ready to exclaim with Thuanus, or with yourself, in contemplating the horrors of St. Bartholomew's day, *Excidat illa dies ævo, nec posteræ credant sæculæ.*† But, sir, let the blame fall where it is due, on the black vengeance of the unrelenting Charles IX., and on the remorseless ambition of the unprincipled Catharine of Medicis, who alternately favoured the Catholics and Huguenots, as seemed best to suit her own interest. The very calumny that I mentioned before, which the king and queen invented to excuse their barbarity, is a sufficient proof that they did not conceive it lawful to commit such crimes to serve their religion,‡ for which, indeed, neither of them felt much zeal: and as this savage villany was contrived without the participation of a single individual of the French clergy, so that body was most forward at the time to oppose its completion,§ and has ever since been the most warm in reprobating it."‖

directed against Coligni, and that it was the murder of him which drew on that of the other Protestants.

* I do not speak of the innumerable massacres committed by the Calvinists of France upon priests, religious, and other unarmed people, during the civil wars which they carried on against their sovereigns, some of which have been already noticed. Davila relates, that upon the death of Francis II., when liberty of conscience was granted them, besides burning down churches and monasteries, they massacred people in the very streets of Paris. Beylen relates, that in the time of a profound peace, the same people, taking offence at the procession of Corpus Christi, performed in the city of Pamiers, fell upon the whole clergy who composed it, and murdered them: and that they afterwards committed the same outrages at Montauban, Rodez, Valence, &c. Hist. Presb. l. ii.

† Thuan. ex Statio.

‡ This further appears from the proclamation of Charles, immediately after the massacre: "Eodem die edictum promulgatur, quo rex testabatur quidquid in hac re accidisset suo diserto mandato gestum esse, *non religionis odio*, sed ut nefariæ Colinii et sociorum conjurationi obviam iret." Thuan. l. liii.

§ It is particularly recorded of Henuyer, a Dominican friar and Bishop of Lisieux, that he opposed to the utmost of his power the execution of the king's order for the murder of the Protestants in his diocess, answering the governor of the province, when he communicated it to him: *It is the duty of the good shepherd to lay down his life for his sheep, not to let them be slaughtered before his face. These are my sheep, though they have gone astray, and I am resolved to run all hazards in protecting them.* Maimb.

‖ See Maimb. Contin. Fleury, &c.

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APPENDIX

TO LETTERS BY DR. ENGLAND AND MR. FULLER.

A.

[It is melancholy to consider the errors, false reasonings, and subterfuges, into which public controversy sometimes betrays men, especially those who are, unfortunately, on the side opposed to truth.

Mr. Fuller had said, "1546 is the date of the Council of Trent, and the protest of the Protestant princes; and in their protest they insert a copy of the tariff. This Bayle supposes to be the copy which Pinet followed." Bishop England denied that the protest of the princes, *supposed* to contain the tariff, was dated in 1546: and expressed surprise at the inaccuracy of Mr. Fuller. We can easily conceive that this inaccuracy of Mr. F. arose, in the first instance, from a very pardonable inadvertency, and the confounding of dates and facts; and the best course would have been to acknowledge the error with simplicity and candour. But, no; he reasserts it in a way, which, considering the talents and learning of the reverend gentleman, charity itself can scarcely construe into mere mental error. He says, "you are astonished at my inaccuracy as to the date of the protest of the princes: I am astonished at *yours*. The Council of Trent was called as early as 1542. Even before 1546, the princes presented their memorial. 'In January, 1546,' Robertson says, 'they published a long manifesto against its (the Council of Trent's) meeting, *with the reasons* which induced them to decline its jurisdiction.' The meeting in 1562, was only a reassembling of the same council, and the address of the princes a re-presentation of their protest." Here the *reasoning* of Mr. F. (if so it may be called) is as follows: "The Protestant princes protested against the council *before* 1546, *in* 1546, and *after* 1546; therefore, 1546 *is* the date of the protest of the Protestant princes." Here we have the axiom "medio tutissimus ibis," admirably applied to chronology. Thus he gains one point, by fusing all the dates of all the protests into the one of 1546, to be called *the* protest of the Protestant princes. He has still to prove that the matter, form, &c., of the protests are identical; and, consequently, that the protest of 1546 contained the very same matter which the protest of 1562 is *supposed* by Bayle to have contained. This he might have inferred as an evident consequence of the foregoing argument. For, since all the protests must surrender their respective dates to the year 1546, why should they not give up their matter and form to the same favoured year? especially, as in the grave formalities of princely protests, the date, matter, &c., should go together, and form one instrument. He pursues, however, a different course, and seems to falter a little in asserting the matter and reasons of the protest in 1562 to be identical with those of 1546: "The meeting," he says, "in 1562 was only the reassembling of the same council, and the *address* of the princes the *re-presentation* of their *protest*." The *protest* of 1562, which Bayle *supposes* contained the tariff, is now called an *address* of the princes; an *address*, which is a *re-presentation* of a *protest*; of *their* protest, meaning, of course, the protest of the princes in 1546. I just said Mr. F. seemed to falter a little. An attentive reader will naturally seem to see him stop his pen for a moment to think; but soon again he goes on, and the whole is set down with an easy and almost sneering assurance; and with such confusion of truth and error, and a change of words so adroit, that the superficial are satisfied of the writer's veracity, and the informed are somewhat puzzled to disengage and expose his errors.

Dr. England was not ignorant that, from the year 1529, when *protesting* commenced, and gave, by a special providence, to the many sects springing out of the false teachings of Luther, Calvin, and others, a generic name of mere negation, destined to adhere to them for ever, even against their will,—and to lead the mind back to the year one thousand five hundred and twenty-nine, *after* the Christian era, as the date of their origin;—various protests against the doctrines and discipline of the Catholic Church, and against a general Council to be called and presided over by the Bishop of Rome, had been made and published. But, not understanding the intellectual chemistry, by which all the protests, with their dates and

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matter, might be crystallized into one, with the inscription, *The Protest* "of 1546," glittering on its face, he thought it was question of some particular protest, having its own date, form, and matter. He was referred to Bayle. He turned to the article on Banck. Bayle there says, "I *conjecture* that Du Pinet followed the edition inserted by the Protestant princes among the causes of their rejecting the Council of Trent." The question naturally presented itself to the mind, to what manifesto, protest, or book put forth by the Protestant princes does Bayle here allude? To this question he found the answer given by Bayle himself, in his article on Tuppius, to which marginal reference is made in the article on Banck. He there learned that Bayle, in the given passage of his article on Banck, alluded to a book prepared by order of the Protestant princes in the close of the year 1562; which book, afterwards published in German, and said to have been translated into Latin by Tuppius, contained the protest of the princes, and the reasons of said protest. That there might be no doubt on this matter, Bayle says, in article Tuppius, "I *had* conjectured, that Du Pinet," &c., and refers the reader back to his article on Banck. The only protest or manifesto, therefore, referred to by the authorities of Mr. F, and *conjectured* to contain the tariff, is the one got up in the end of 1562, and published afterwards; and yet Mr. F. asserts and reasserts, in the manner before given, that it is question of the protest or manifesto of 1546.

It is strange that Mr. Fuller did not throw the date of the protest of the Protestant princes farther back, and make the protest of 1546 identical with that of 1537; as his favourite Robertson says, (Book 6, anno 1538,) that, in February, 1537, they published "a large manifesto," enumerating their objections against the Council, and vindicating their conduct in refusing to attend it. It is true, it was then question of holding the council at Mantua. But it is evident, from Robertson himself, that the place of the future council was by no means among their principal objections.

We have made this note too long already; and we will merely add, that the *attentive* and *sincere seeker* after truth will find, that Dr. England has fully maintained every position which he took in this controversy with Mr. Fuller. He may seem prolix; but it is the province and nature of heresy to entangle the thread of history, so that much time, labour, and patience are required to unravel it.

I. A. R.]

B.

From the United States Catholic Miscellany of October 19th. 1839.

THE CONTROVERSY,

So far as the Bishop is concerned, appears to be closed; there have been three other letters published by him besides those which appear upon our paper. He expressed his determination not to go farther, whether Rev. Mr. Fuller rejoins or not.

A number of the Protestant papers are publishing extracts from the interpolated Tax-book, to prove that it is genuine, because it exists!!!

"Others say that the Bishop denies that there was ever a genuine Tax-book. All of them call the items 'prices for the absolution of sin.' The most prominent of the latter is the Reverend Doctor Brownlee of New York, the great patron of Miss Maria Monk, who publishes that the Rev. Mr. Fuller, not having the means of proving his case, he, Brownlee, will supply his deficiency—and gives us a specimen. After having read both, we openly proclaim that Mr. Fuller is, as an advocate, infinitely superior to Brownlee, who has thus insulted him!!!"

As a sequel to the above, we beg leave to insert the following correspondence, which we have had in our hands since the 8th inst., and by some oversight omitted last week.

VESTRY OF ST. MARY'S CHURCH.

The following letter was transmitted to the Bishop, in consequence of the proceedings which it describes:

"To the Right Reverend Doctor England,
Bishop of Charleston.

"RIGHT REVEREND SIR:—At a meeting of the Vestry of St. Mary's Church in the city of Charleston, held on Sunday the 22d inst, the Rev. William Burke, assistant clergyman, presiding—the following resolutions, submitted by Mr. Ravina, and seconded by Mr. John E. Clay, were unanimously adopted, viz.:

"*Resolved*, That the thanks of this vestry be tendered to the Right Rev. Bishop England, for his able defence of the Catholic religion against the attacks made upon it by the Rev. Richard Fuller.

"*Resolved*, That a copy of the above resolution be sent to the Bishop by the secretary.

"I beg leave, Right Reverend Sir, in compliance with the order thus given, to make to you the present communication; assuring you that no one more highly

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values your powerful advocacy of our cause more than I do.

"I have the honour to remain,
"Right Reverend Sir, respectfully,
"Your obedient, humble servant,
"CHAS. KANAPAUX,
"Secretary to the Vestry.

"Sept. 25th, 1839."

To which the Bishop made the following reply:

To Charles Kanapaux, Esq., Secretary of the Vestry of St. Mary's Church.

DEAR SIR:—Illness and its consequent debility prevented me from making an earlier reply to your communication of the 25th of last month.

I feel deeply indebted to the Vestry of St. Mary's Church for the kind manner in which they appreciate the performance of my duty.

The Rev. Mr. Fuller, misled by a host of writers who copied one of the earliest falsehoods that was invented to vilify our church, and to justify the secession of those who called themselves "Reformers," I am convinced, was honestly under the impression that the Protestant imitations of the Taxbook of the Roman tribunals, were exact and authentic copies of those books. At the outset of the correspondence, I have no doubt he was convinced that his authorities were good, and his case easily established; and I am certain that he anticipated an easy and a glorious triumph. Mr. Fuller has not studied those quotations with sufficient care, and he was not prepared for the difficulties that subsequently arose. The forgeries and the interpolations are not his. And it was neither the disposition nor the interest of those whom he regarded as high authority to admit, that they were what the Catholic world always proclaimed them to be, spurious suppositions. Nor is Mr. Fuller the only one of our fellow-citizens who looked upon the position which he undertook to defend, as impregnable. The delusion is spread widely abroad, not only amongst those who are poorly informed, but amongst those who are otherwise learned and worthy of esteem for their genius and acquirements. Nor is it to be destroyed in a day, nor in a month, nor in a year. But I am happy to perceive that the mind of America is awakened to the subject; and the result of investigation will be the discovery of truth. In the process of the inquiry, I felt it to be my duty to treat this gentleman as one who combated for what he considered to be truth; though I regret much that he has introduced other topics, and treated them in a spirit which I cannot admire. As, however, the main question has been departed from, and other duties press upon me, I shall discontinue the discussion as soon as I can.

For yourself, sir, accept my thanks for the manner in which you were so kind as to make the communication; and believe me to be, with regard and esteem,

Yours, very sincerely and affectionately in Christ,

† JOHN, *Bishop of Charleston.*

Charleston, Oct. 7th, 1839.

C.

From the U. S. Cath. Misc. of Jan. 11, 1840.

LICENSE TO SIN.

We have lately observed upon some of the European papers, religious and others, that notice was taken of the controversy carried on in this place some months since, between the Bishop and the Rev. Richard Fuller. We were curious to discover how it was estimated elsewhere, as it excited considerable interest in this state: and as we suppose several of our readers have similar desires, we thought they would be gratified at our copying some of these notices into our columns.

The following is from vol. ciii. of the *Ami de la Religion*, No. 3208, p. 410, published in Paris on the 20th of November. We were about to give only the translation, until a friend reminded us that Mr. Fuller charged the English Protestant translators of Bayle with incorrectness, and advised us to give the original also, that an opportunity may be afforded of correcting us, if we should be unfaithful.

"Le Docteur England, évêque de Charleston aux Etats-Unis, a soutenu dernièrement une vive discussion avec un ministre Protestant, M. Fuller, qui avoit avancé dans un discours public qu'il y avoit un statut de la chancellerie Romaine, en vertu duquel on pouvoit pour une somme d'argent être autorisé à commettre des assassinats, des meurtres, et d'autres crimes. M. England releva cette assertion avec force, M. Fuller essaya de la soutenir. Une correspondance s'établit entre eux dans les journaux de Charleston. L'évêque demanda à M. Fuller ses preuves. Le ministre lui cita Saurin, Robertson, *L'Encyclopèdie des Connoissances Religieuses*, le *Dictionnaire Thèologique* de Buck, le Catalogue de Brunet, d'Aubigné, Drelincourt, et Banck. Le Docteur England discute ces diverses autorités. Il montre que ces écrivains n'ont point vu le livre de la taxe de la chancellerie Romaine. Ils se sont copiés les uns les autres. M. England

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croit que l'auteur de l'imposture est Pinet, qui publia une compilation à Lyon en 1564. Banck reproduisit la fable à Franckere en 1652. Le prélat soutient qu'il n'y eut point d'édition du tarif avant Pinet. Il faut voir les contradictions de ceux qui ont parlé de ce tarif. M. Fuller prétendoit tirer un grand avantage de l'autorité de Bayle, qui, disoit il, n'étoit pas Protestant. M. l'évêque relève cette incroyable méprise.

"Cette lettre de M. England, en date du 17 Août, est longue et solide. Le prélat y fait preuve d'une érudition très-variée. Il expose les usages de la cour de Rome, et il donne de nouvelles raisons pour montrer l'absurdité du tarif. C'est-là une de ces fables qu' on répète avec confiance chez les Protestans, sans remonter aux sources et par suite des préventions si communes parmi eux, qui les portent à accueillir les bruits les plus invraisemblables contre les Catholiques. M. l'évêque en cite quelques exemples récens. Sa lettre est écrite d'ailleurs avec autant de modération que de force, et est digne en tout point du talent et du zéle d'un prélat si distingué.

"Le prelat a encore publié depuis cinq ou six lettres sur le même sujet. Il a battu complétement son adversaire, et lui a reproché cette habitude trop commune chez Protestans de forger des histoires ridicules sur les Catholiques et de leur imputer des torts imaginaires. M. Fuller ayant protesté contre ce reproche, l'évêque lui en a fait voir des exemples tout récens qui s'étoient passés en Irlande et en Angleterre, et qui sont rapportés dans les journaux du pays. M. Fuller, réduit au silence sur l'histoire de la taxe de la chancellerie Romaine, s'est jeté sur un autre terrain, et a appelé à son secours un canon du troisième concile de Latran. Le Docteur England a encore discuté ce point avec son habileté accoutumée. La controverse en étoit là dans les derniers journaux d'Amérique."

TRANSLATION.

Doctor England, Bishop of Charleston, in the United States, has lately been engaged in a lively discussion with Mr. Fuller, a Protestant minister, who in a public essay had asserted that there was a statute of the Roman Chancery, by which a person could be authorized for a sum of money to commit assassinations, murder, and other crimes. Bishop England strongly took up this assertion; Mr. Fuller undertook to sustain its truth. A correspondence was opened between them in the Charleston papers. The Bishop called upon Mr. Fuller for his proofs. The minister quoted for him Saurin, Robertson, the Encyclopedia of Religious Knowledge, Buck's Theological Dictionary, the Catalogue of Brunet, Bayle, D'Aubigné, Drelincourt, and Banck. Doctor England discusses those several authorities. He shows that those writers had never seen the Tax-book of the Roman Chancery: they have only copied from each other. Bishop England is of opinion that the author of the imposture is Pinet, who published a compilation at Lyons in 1564; Banck reproduced the fable at Francker in 1652. The prelate maintains that there was no edition of this tariff before Pinet. One should see the contradictions of those who have spoken of this tariff. Mr. Fuller sought to derive great advantage from the authority of Bayle, who, he said, was not a Protestant. The Bishop takes up this incredible mistake.

This letter of Bishop England, dated August 17th, is long and solid. In it the prelate exhibits varied erudition. He explains the usages of the Court of Rome, and adduces new reasons to show the absurdity of the tariff. This is one of the fables which are repeated with confidence amongst Protestants, without examining their source, because of those prejudices so common amongst them, which lead them to welcome the most unlikely reports against Catholics. The Bishop cites many recent examples. His letter is, besides, written with equal moderation and strength, and is every way worthy of the talent and zeal of so distinguished a prelate.

The prelate has subsequently published five or six letters on the same subject. He has completely beaten his adversary; and reproached him with this custom, too common amongst Protestants, of forging ridiculous stories respecting Catholics, and of imputing to them imaginary faults. Mr. Fuller having denied the justice of this charge, the Bishop exhibits to him, from the statements of the public papers, perfectly recent examples in Ireland and in England. Mr. Fuller, silenced on the subject of the Tax-book of the Roman Chancery, throws himself upon new ground, and has called to his aid a canon of the third Council of Lateran: Doctor England has again discussed this point with his usual ability. The last American papers give us so far of the controversy.

D.

From the United States Catholic Miscellany, of April 18, 1840.

THE ROMAN CHANCERY.

The letters between the Reverend Richard Fuller and Bishop England having reached

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Rome, the officers of the Roman Chancery requested a competent person belonging to the United States to compile an Italian synopsis of the controversy for their inspection. It was matter of astonishment in that city that at the present day any respectable scholar should believe the forgeries of Pinet and Banck to be chargeable on the Roman Chancery. The answers of Bishop England, so far as they were understood, were esteemed to be good.

E.

From the United States Catholic Miscellany of January 23d. 1841.

THE TAX-BOOK OF THE ROMAN CHANCERY.

Under this title, a contributor to the Charleston Observer of last Saturday, communicates a passage of Claude D'Espence quoted by Bishop Bull in his answer to Bossuet. Now neither the name of Bishop Bull, nor any other, will make the passage worth more than its own intrinsic value. And that may be found in the following parts of the correspondence between Bishop England and the Rev. Richard Fuller, now for sale at 75 cents, at most of the book stores in this city.

Mr. Fuller quoted it in his letter of August 23d, 1839, as found on p. 35, of this book.

Bishop England remarks on its value in his letter of September 2d, pp. 51, 52, and in his letter of September 4, p. 52.

To these we refer those who are desirous of knowing the value of the passage.

We now translate from the *Ami de la Religion*, of December 8th, the account of a modern case in Chancery, which has been reported of, *à la Banck et Pinet*, but the misrepresentation of which has been corrected effectually, as will be seen, yet we suspect this correction will not suffice for those who will have Rome the bad and ugly thing which their grand-dams taught them and their education and prejudices have confirmed.

"Calumnious reports, but circulated with great trick and cunning respecting the marriage of M. Anatolius de Demidoff with the Princess Amelia Matilda, daughter of the Prince of Montfort, (Jerome Bonaparte,) and her Royal Highness Catherine of Wurtemburg, have determined his holiness to direct Cardinal Lambruschini, Secretary of State, to communicate to the members of the diplomatic body residing at Rome the acts emanating from the Holy See for the purpose of granting the dispensation solicited for this mixed marriage. The object of this communication was to protect the dignity of the Apostolic See against this calumny.

"It was rumoured that the dispensation was granted without the conditions usually required by the Holy See: to wit: that all the children should be educated in the Catholic religion, that the un-Catholic party should not forbid to the Catholic party the free exercise of that religion, and that this latter party should be reminded of the obligation to labour for the conversion of the un-Catholic spouse. It was also said that a brief was issued for this dispensation, and that a good round sum of a tax was paid to procure it.

"The subjoined copy of the supplication presented to his holiness on behalf of the two spouses; the copy of the rescript issued, as all other dispensations of this kind are, from the holy office, and mentioning that there had been paid according to custom for the tax of the Chancery sixteen pauls and a half (about less than nine francs,) (exactly $1 65—ONE DOLLAR AND SIXTY-FIVE CENTS.—the paul is exactly ten cents,) finally, the assurance given by the Cardinal, Secretary of State, that beyond this rescript there was no room for any other act on the part of the Holy See, suffice to demonstrate how false and calumnious are the reports that have been circulated.

"To these documents we shall add 1st. An attestation of the Archbishop of Florence, proving that M. Demidoff had taken the oath with the formalities usual and prescribed in such case by the Catholic Church, and with the explicit conditions required by the decrees of the holy office.—2d. The declaration of Dom. Luigi Vescovali, agent of the spouse, establishing that he had merely paid, and nothing more, the usual tax of sixteen and a half pauls to the Chancery of this tribunal."

SUPPLICATION.

Most holy Father,

The Princess Amelia Matilda, a Catholic, daughter of Jerome Bonaparte, Prince de Montfort, former King of Westphalia, and of the Princess Catherine, daughter of the late King of Wurtemburg, desirous of being united in marriage with the Count Anatolius de Demidoff, a Russian Greek, supplicates your holiness to have the goodness to grant her the apostolic dispensation for this difference of worship, so that she may be enabled to contract marriage according to the laws prescribed by the Catholic Church. The same is solicited on behalf of the spouse. She will pray, &c.

RESCRIPT.

"Ferià II. Die 12 Octobris, 1840.

"Sanctissimus D. N. Gregorius divinâ providentiâ P. P. XVI. extraordinariâ audi-

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entiâ reverendissimo, P. commissario S. Officii impetratâ; auditâ relatione suprascripti supplicis libelli, attentis peculiaribus et extraordinariis circumstantiis in præsenti casu concurrentibus, ab R. P. D. archiepiscopo Florentino, in suâ attestatione expositis, benigne remisit preces prudenti arbitrio et conscientiæ ejusdem R. P. D. archiepiscopi Florentini cum facultate etiam subdelegandi, si opus sit, ut dispensare valeat Matildam, principissam de Montfort, oratricem Catholicam, ut licitè et legitimè matrimonium contrahere possit cum comite Anatolio de Demidoff, Ecclesiæ Græco-schismaticæ addicto, emissâ tamen per eumdem juratâ obligatione coram eodem R. P. D. archiepiscopo Florentino, permittendi educationem prolis utriusque sexus in religione Catholicâ nec impediendi uxori filiisque liberum Catholicæ religionis exercitium. Matrimonium vero celebretur coram Parocho et duobus saltem testibus juxta præscripta a sacro concilio Tridentino, extra tamen ecclesiam, et absque Parochi benedictione. Ipsemet denique archiepiscopus efficaciter insinuet oratrici Catholicæ obligationem quam habet, curandi totis viribus acatholici conjugis conversionem. Contrariis non obstantibus quibuscumque, &c.

"ANGELUS ARGENTI, S. Rom.
et Univ. inqu. Notar.

"Recepti fuere a Cancellariâ S. Officii, Julii sexdecim cum dimidio pro suis juribus.
Id. ARGENTI.

[L. ⋈ S.]

"Die sextâ Novembris, 1840.

"*Concordat cum originali*, SILVESTER BELLI, *Assessor S. Officii.*"

TRANSLATION.

"Monday, 12th October, 1840.

"Our holy Father Gregory, by Divine Providence Pope, XVI.

"At an extraordinary audience granted to the most reverend father, the commissary of the Holy Office, having heard his report on the above supplication, taking into account the extraordinary circumstances concurring in the present case, as exhibited in his attestation by the most reverend prelate the Lord Archbishop of Florence, his holiness graciously referred the petition to the prudent discretion and conscience of the same most reverend prelate, the Lord Archbishop of Florence, with even the faculty of subdelegation, if need should be, so that he may be enabled to dispense for the Catholic petitioner, Matilda, Princess de Montfort, that she could lawfully and rightly contract marriage with the Count Anatolius de Demidoff, attached to the Greek schismatic church, he having however first sworn an obligation in presence of the most reverend prelate the Lord Archbishop of Florence, that he would permit the education of the children of both sexes in the Catholic religion, and that he would not give any impediment to the free exercise of the Catholic religion by his wife and children. Let the marriage be celebrated in presence of the parish priest and at least two witnesses, according to the prescription of the holy Council of Trent, but not within a church, and without the blessing of the parish priest. And finally, let the Archbishop himself effectually inform the Catholic petitioner of the obligation under which she lies, of using her best efforts to procure the conversion of her un-Catholic husband. This to be in force notwithstanding any laws, customs, or usages, &c., to the contrary.

"ANGELO ARGENTI,
"Notary of the holy Roman and Universal Inquisition.

"Received by the Chancery of the holy office sixteen and a half Julii for its taxes.
"*The same* ARGENTI.

[Seal ⋈]

"This 6th of November, 1840.

"*This agrees with the original.*
"SYLVESTER BELLI,
"*Assessor of the Holy Office.*"

CERTIFICATE OF THE ARCHBISHOP.

"This day, October 19th, 1840.

"This morning, his excellency, the Count of Demidoff, in conformity with the pontifical authority granted in favour of the Princess Matilda, daughter of the Prince Jerome Bonaparte of Montfort, to contract marriage with him, notwithstanding his belonging to the Greek schismatical church, did take, upon my administration, his oath upon the holy Gospels, to allow that the children of both sexes which the Almighty God may give to him, should be educated in the Catholic religion of their mother, and to give every facility to her as well as to her children, to practise freely all the duties of the Catholic worship, removing every obstacle which they may meet with. In testimony whereof, I have deposited this certificate in my Chancery.

"† FERDINAND, Archbishop of Florence."

DECLARATION OF THE AGENT.

"I, the undersigned, declare that upon occasion of the dispensation obtained from his holiness through the channel of the congregation of the Holy Office in favour of the

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Princess Matilda de Montfort, to enable her to contract a mixed marriage with the Count de Demidoff, I have paid to the Chancery of the aforesaid tribunal the usual tax of sixteen pauls and a half, as is expressed at the foot of the rescript issued for the said dispensation: and thinking I would act more in keeping with the state of the petitioner in offering to the Chancery two sequins of gold, they were refused: and nothing was received but the simple tax above mentioned; in addition to which, I formally declare that no one in the employment of the Holy See has, upon this ground, received anything else. In testimony whereof, &c.

"Rome, November 7th, 1840."

The *Ami* then says—

"The publicity given to these documents, reprinted in the journals of Italy and Germany, and whose authenticity we are enabled to guarantee, is the only answer which should be given to schismatics and Protestants who have fastened upon this fact of the mixed marriage of Count de Demidoff to spread abroad fables as absurd as they are odious, to the prejudice of the Holy See, by representing it as venal and fluctuating in its conduct."

The Roman crown and our dollar are of the same value. The paul is so called from having a bust of Pope Paul on its obverse, as the julius is so called from having the bust of a Pope of that name; they are coins of the same value, each one-tenth of a crown, so that a paul or julius is exactly ten cents, and the tax of the Roman Chancery was exactly $1 65.

The sequin of gold is worth about two dollars and thirty cents; thus the tax offered as worthy of a princess, was four dollars sixty cents, of which two dollars ninety-five cents was returned.

We shall add to the above, merely as a running comment, the following paragraph from Rev. Mr. Fuller's letter of September 14, 1839, p. 68, to Bishop England.

2. "When Abbe Richard admits the Tax-book, it is the work 'Jurieu produced,' viz.: the tariff of sin which he says '*the church*' suppressed, and of which 'the guilt belongs only to the court of Rome.' Your attempt to identify this with the cut and dry copy in your possession, and to confound Tax-book for Papal revenue with a fee-bill of officers is too bad. The picture you give, however, of John XXII., '*citing Scripture for his purpose*,' is admirable. How the blood-sucker must have chuckled, as he concocted his infernal scheme for replenishing his *needy* coffers, and gave as a cause that verse of the Psalmist—'Blessed is he who understandeth concerning the needy and the poor.' Well done Pope John XXII."

From Rev. Mr. Fuller's letter of August 13th, p. 19.

"Take notice particularly, that such graces and dispensations are not granted to the poor; for not having wherewith to pay, they cannot be comforted." (Saur. Ser. by Robins, vol. 1st, p. 219.)

LETTERS TO THE HON. JOHN FORSYTH,

ON THE SUBJECT OF DOMESTIC SLAVERY;

TO WHICH ARE PREFIXED COPIES, IN LATIN AND ENGLISH, OF THE POPE'S APOSTOLIC LETTER CONCERNING THE AFRICAN SLAVE TRADE, WITH SOME INTRODUCTORY REMARKS, ETC.

[The series of historical pieces on the general subject of the political and moral position and relations of the Roman See, properly concludes with the well-known "Letters to Forsyth," the last work of Dr. England, and one in which he was interrupted by death. It is placed here on account of the natural connexion which it has with the foregoing pieces.]

INTRODUCTORY NOTICE.

The intemperate course which Mr. O'Connell has chosen to pursue in relation to a large portion of the American people, and his late most unwarrantable attempt to impart the semblance of religious authority to his incendiary appeals concerning slavery, to his former fellow-subjects, now citizens of these United States, have rendered it expedient, in the judgment of many persons, to reprint, together with the recent apostolical letter of the Sovereign Pontiff on the slave trade, the celebrated letters of Bishop

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England to the Honourable John Forsyth, on domestic slavery, in a form accessible to a great majority of readers.

It is more than probable that Mr. O'Connell little dreamt of the mischief he was doing to a still holier cause than that of injured Ireland, when, in the ardour of his vituperation against America, he ventured to misconstrue the Pope's denunciation of the African slave trade (denounced no less by our own and almost every civilized government) into a denial of the compatibility of domestic slavery, as existing in this country, with the practice unto salvation of the Catholic religion. Still there are many, whom just admiration of his talents, and confidence in his many virtues, might betray into an inconsiderate adoption of his theological errors; whilst those unprincipled polemics, who conduct a certain portion of the American press, would eagerly avail themselves of his misstatements to justify new calumnies against the church.

To our fellow-citizens of Irish origin, therefore, and the candid and intelligent of every persuasion, these letters on slavery, by the great apostle of this western world, incomplete as they fell from his hurried pen, and sealed by death midway his argument, will yet prove of inestimable value, as exhibiting the true doctrine of Christianity on the fundamental principle of involuntary servitude, and her ameliorating influences on a state ordained of God, yet liable, like most other social institutions, to manifold and great abuses.

And to *him* who, forgetful of much that might and ought to have moved him to forbearance, could turn aside, unprovoked, from baying the British lion, to "scatter arrows, firebrands, and death" among his most sincere and disinterested well-wishers, this little volume should seem a sad "*memento*" from the grave of his noblest friend, whose intention it was, as himself assured me, (when last my guest, in the fall of 1841,) that if God permitted him to conclude his essay, it should be dedicated to Daniel O'Connell!

WM. GEO. READ.

Baltimore, Dec. 19th, 1843.

THE CATHOLIC CHURCH.

DOMESTIC SLAVERY AND THE SLAVE TRADE.

The admirable temper and good sense which characterize the following passages from the "United States Catholic Miscellany," of December 9th, 1843, fully justify their republication, in connexion with the letters which constitute the body of this work.

We understand that considerable attention has been excited by a document going the rounds of the papers, under the title of a "Bull of Pope Gregory XVI. against Slavery," and several inquiries are made as to the meaning of the document, and the truth of the charge that the Catholics have concealed or suppressed it in the United States for the last four years.

On recurring to our own files, we find that the document itself, not a *bull*, but an APOSTOLIC LETTER, was published in the *Miscellany* of March 14th, 1840, and that our late lamented bishop, in his two first letters to the Hon. John Forsyth, then Secretary of State, published likewise in the Miscellany, Oct. 3d and 10th, 1840, fully explained its true meaning. We cannot now say whether it was published in the other Catholic papers of the day, as we have not regular files; but we are under the impression that such was the case. In the acts of the councils of Baltimore, there is a record of its having been formally read and accepted by the prelates in the council of 1840. So much for Catholics concealing or suppressing it. It was likewise given to the public through other channels. It is found, for example, in the appendix to Mr. Forsyth's address to the people of Georgia, on the nomination of General Harrison for the presidency. And yet in just three years it is again trumpeted through the land as something new and hitherto unknown! Truly, we can sometimes be hoaxed.

As to the meaning of the apostolic letter, we can see no room for doubt. His holiness speaks of reducing Indians, negroes, and such others, into slavery; of assisting those who engage in that inhuman traffic, and through desire of gain, and to foster their trade, go so far as to excite quarrels and wars among them in their native country. He opposes the continuance of the evil which several of his predecessors, whom he names, endeavoured with imperfect success to repress. They speak explicitly of reducing freemen, Indians in South America, and negroes in Guinea, to slavery. In one word, he condemns what our own laws condemn as felony—the slave trade. Domestic slavery, as it exists in the Southern States, and in other parts of the Christian world, he does not condemn. This is evident from the tenor of the apostolic letter itself, from the declarations made concerning it in Rome, and from the fact that, at the fourth provincial council of Baltimore, in which the majority of bishops were from the slaveholding states, it was accepted, without any one's thinking it interfered at all with our domestic polity. We appre-

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hend there is a vast difference between the slave-trade and domestic slavery. At least our own laws make the distinction, punishing the one and sanctioning the other. It is absurd, then, to conclude that, because the apostolical letter condemns the piratical slave-trade, it is also aimed against domestic servitude.

There is no danger—no possibility, on our principles—that Catholic theology should ever be tinctured with the fanaticism of abolition. Catholics may and do differ in regard to slavery, and other points of human policy, when considered as ethical or political questions. But our theology is fixed, and is, and must be the same now as it was for the first eight or nine centuries of Christianity. During that period, as Bishop England has ably shown in his series of *Letters to the Hon. John Forsyth*, the church, (lett. xvi.) by the admonitions of her earliest and holiest pastors; by the decrees of her councils, made on a variety of occasions; by her synodical condemnation of those who, under pretext of religion, would teach the slave to despise his master; by her sanction and support of those laws by which the civil power sought to preserve the rights of the owner; by her own acquiring such property, by deeds of gift or of sale, for the cultivation of her lands, the maintenance of her clergy, the benefit of her monasteries, of her hospitals, of her orphans, and of her other works of charity, repeatedly and evidently testified that she regarded the possession of slave property as fully compatible with the doctrines of the Gospel: and this whilst she denounced the pirate who made incursions to reduce into bondage those who were free and unoffending, and regarded with just execration the men who fitted out ships and hired others to engage in the inhuman traffic. In Catholic theology the question is a settled one; and no one would be recognised as a Catholic who would utter the expressions we have heard from the lips of American abolitionists, who call themselves Protestants: "If the Bible allows slavery, it should be amended." "The Christianity of the nineteenth century should as far excel the Christianity of the early church, as that did the old Jewish law," &c.

The line of conduct prescribed, especially to the Catholic clergy, is laid down by the venerable and learned Bishop of Philadelphia, in his standard work, *Theologia Moralis*, vol. i., tract. v., cap. vi., and tract. viii., cap. iv. From the first cited chapter we translate the following paragraph.

"But what is to be thought of the domestic servitude which exists in most of the Southern and Western States, where the posterity of those who were brought from Africa still remain in slavery? It is indeed to be regretted that in the present fulness of liberty, in which all glory, there should be so many slaves, and that to guard against their movements, it has been necessary to pass laws prohibiting their education, and in some places greatly restricting their exercise of religion. Nevertheless, since such is the state of things, nothing should be attempted against the laws, nor anything be done or said that would make them bear their yoke unwillingly. But the prudence and the charity of the sacred ministers should appear in their effecting that the slaves, imbued with Christian morals, render service to their masters, venerating God, the supreme Master of all; and that the masters be just and kind, and by their humanity and care for their salvation, endeavour to mitigate the condition of their slaves. The Apostles have left us these rules; which if any one should neglect, and, through a feeling of humanity, endeavour to overturn the entire established order, he would in most cases but aggravate the condition of the slaves. The Pope, in the beforementioned constitution, omitted not to lay this before us. 'For the Apostles, inspired by the Holy Ghost, taught slaves to obey their temporal masters, as they would Christ himself, and to do the will of God cheerfully: and they also gave a precept to the masters to act kindly towards their slaves, to give them what is just and reasonable, and to refrain from threatening them, knowing that the Lord of both is in heaven, and that with Him there is no acceptation of persons.'"

How strictly this instruction is complied with, and how beneficial are its effects, is known to every one who has any knowledge of the character of Catholic slaves. They are everywhere distinguished as a body for orderly habits and fidelity to their masters; so much so, that in Maryland, where they are numerous, their value is 20 or 25 per cent. above that of others.

We have said this much, not to vindicate the southern clergy of our church from the charge of abolitionism, for we believe it has never been preferred against them, but simply to satisfy the inquiries of some of our fellow-citizens, whose attention has been drawn by recent events to this subject.

SANCTISSIMI DOMINI NOSTRI GREGORII DIVINA PROVIDENTIA PAPÆ XVI.

LITTERÆ APOSTOLICÆ

DE NIGRITARUM COMMERCIO NON EXERCENDO.

[ARMA.]

ROMÆ:—TYPIS COLLEGII URBANI.—1840.

GREGORIUS, PP. XVI.

Ad futuram rei memoriam.

In supremo Apostolatus fastigio constituti, et nullis licet suffragantibus meritis gerentes vicem Jesu Christi Dei Filii, qui

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propter nimiam caritatem suam Homo factus mori etiam pro Mundi redemptione dignatus est, ad Nostram pastoralem sollicitudinem pertinere animadvertimus, ut Fideles ab inhumano Nigritarum seu aliorum quorumcumque hominum mercatu avertere penitus studeamus. Sane cum primum diffundi coepit Evangelii lux, senserunt alleviari plurimum apud Christianos conditionem suam miseri illi, qui tanto tunc numero bellorum præsertim occasione in servitutem durissimam deveniebant. Inspirati enim a divino Spiritu Apostoli servos quidem ipsos docebant obedire dominis carnalibus sicut Christo, et facere voluntatem Dei ex animo; dominis vero præcipiebant ut bene erga servos agerent, et quod justum est et æquum eis præstarent, ac remitterent minas, scientes quia illorum et ipsorum Dominus est in cœlis, et personarum acceptio non est apud Eum.* Universim vero cum sincera erga omnes caritas Evangelii Lege summopere commendaretur, et Christus Dominus declarasset habiturum se tamquam factum aut denegatum sibi ipsi quidquid benignitatis et misericordiæ minimis et indigentibus præstitum aut negatum fuisset,† facile inde contigit nedum ut Christiani servos suos præsertim Christianos veluti fratrum loco haberent,‡ sed etiam ut proniores essent ad illos qui merentur libertate donandos; quod quidem occasione imprimis Paschalium Solemnium fieri consuevisse indicat Gregorius Nyssenus.§ Nec defuerunt qui ardentiore caritate excitati se ipsos in vincula conjecerunt, ut alios redimerent: quorum multos se novisse testatur Apostolicus Vir idemque sanctissimæ recordationis Præcessor Noster Clemens I.‖ Igitur progressu temporis Ethnicarum superstitionum caligine plenius dissipata, et rudiorum quoque populorum moribus Fidei per Caritatem operantis beneficio mitigatis, res eo tandem devenit ut jam a pluribus sæculis nulli apud plurimas Christianorum gentes servi habeantur. Verum, dolentes admodum dicimus, fuerunt subinde ex ipso Fidelium numero qui sordidioris lucri cupidine turpiter obcæcati in dissitis remotisque Terris Indos, Nigritas, miserosve alios in Servitutem redigere, seu instituto ampliatoque commercio eorum, qui captivi facti ab aliis fuerant, indignum horum facinus juvare non dubitarent. Haud sane prætermiserunt plures glor. mem. Romani Pontifices Præcessores Nostri reprehendere gravitèr pro suo munere illorum rationem, utpote spirituali ipsorum saluti noxiam, et Christiano nomini probrosam; ex qua etiam illud consequi pervidebant, ut infidelium gentes ad veram nostram Religionem odio habendam magis magisque obfirmarentur. Quo spectant Apostolicæ Litteræ Pauli III. die 29 Maii. MDXXXVII., sub Piscatoris Annulo datæ ad Cardinalem Archiepiscopum Toletanum: et aliæ deinceps eisdem ampliores ab Urbano VIII., datæ die 22 Aprilis, MDCXXXIX., ad Collectorem Jurium Cameræ Apostolicæ in Portugallia; quibus in Litteris ii nominatim gravissime coercentur, qui Occidentales aut Meridionales Indos in servitutem redigere, vendere, emere, commutare, vel donare, ab uxoribus et filiis suis separare, rebus et bonis suis spoliare, ad alia loca deducere et transmittere, aut quoquo modo libertate privare, in servitute retinere, nec non prædicta agentibus consilium, auxilium, favorem, et operam quocumque prætextu, et quæsito colore præstare, aut id licitum prædicare, seu docere, ac alias quomodolibet præmissis cooperari auderent seu præsumerent.* Has memoratorum Pontificum Sanctiones confirmavit postmodum et renovavit Benedictus XIV., novis Apostolicis Litteris ad Antistites Brasiliæ et aliarum quarumdam Regionum datis die 20 Decembris, MDCCXLI., quibus eumdem in finem ipsorum Præsulum sollicitudinem excitavit.† Antea quoque alius his antiquior Præcessor Noster Pius II., quum sua ætate Lusitanorum imperium in Guineam Nigritarum regionem proferretur, Litteras dedit die 7 Octobris, MCCCCLXII., ad Episcopum Rubicensem eo profecturum; in quibus nedum Antistiti ipsi opportunas ad sacrum Ministerium inibi cum majori fructu exercendum facultates impertitus fuit, sed eadem occasione graviter in Christianos illos animadvertit, qui Neophytos in servitutem abstrahebant.‡ Et nostris etiam temporibus Pius VII., eodem, quo sui Decessores, religionis et caritatis spiritu inductus, officia sua apud potentes Viros sedulo interposuit, ut Nigritarum commercium tandem inter Christianos omnino cessaret. Hæ quidem Præcessorum Nostrorum Sanctiones et curæ profuerunt, Deo

* Ad Ephesios vi., seqq. 5, ad Coloss. iii. 22. seqq. iv. 1.

† Mathæi xxv. 35, seqq.

‡ Lactantius Divin. Institution. Lib. v. c. 16. Tom. iv. Biblioth. Veterum Patrum Venetiis a Gallandio editæ p. 318.

§ De Resurrect. Domini Orat. iii. Tom. iii. p. 420. Operum edit. Parisiensis Anni 1638.

‖ Ad Corinth. Ep. i. cap. 55. Tom i., Bibl. Galandii p. 35.

* In Buller. Rom. edit. typis Mainardi Tom. vi. part 2; Const. 604, p. 183.

† In Bullario Benedicti XIV. Tom. i. Const. i. 38.

‡ Apud Raynaldum in Annalibus Ecclesiasticis ad An. 1462, n. 42.

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bene juvante, non parum Indis aliisque prædictis a crudelitate invadentium, seu a Mercatorum Christianorum cupiditate tutandis; non ita tamen ut Sancta hæc Sedes de pleno suorum in id studiorum exitu lætari posset; quum immo commercium Nigritarum, etsi nonnulla ex parte imminutum, adhuc tamen a Christianis pluribus exerceatur. Quare nos tantum hujusmodi probrum a cunctis Christianorum finibus avertere cupientes, ac re universa nonnullis etiam Venerabilibus Fratribus Nostris S. R. E. Cardinalibus in consilium adhibitis, mature perpensa, Prædecessorum Nostrorum insistentes vestigiis, Auctoritate Apostolica omnes cujuscumque conditionis Christifideles admonemus et obtestamur in Domino vehementer, ne quis audeat in posterum Indos, Nigritas, seu alios hujusmodi homines injuste vexare, aut spoliare suis bonis, aut in servitutem redigere, vel aliis talia in eos patrantibus auxilium aut favorem præstare; seu exercere inhumanum illud commercium, quo Nigritæ, tamquam si non homines sed pura putaque animantia forent, in servitutem utcumque redacti, sine ullo discrimine, contra justitiæ et humanitatis jura, emuntur, venduntur, ac durissimis interdum laboribus exantlandis devoventur, et insuper lucri spe primis Nigritarum occupatoribus per commercium idem proposita, dissidia etiam et perpetua quodammodo in illorum regionibus prælia foventur. Enimvero Nos prædicta omnia, tamquam Christiano nomine prorsus indigna, Auctoritate Apostolica reprobamus; eademque Auctoritate districte prohibemus atque interdicimus, ne quis Ecclesiasticus aut Laicus ipsum illud Nigritarum commercium veluti licitum sub quovis obtentu aut quæsito colore tueri, aut aliter contra ea, quæ nostris hisce Apostolicis Litteris monuimus, prædicare seu quomodolibet publice vel privatim docere præsumat.

Ut autem eædem hæ Nostræ Litteræ omnibus facilius innotescant, nec quisquam illarum ignorantiam allegare possit, decernimus et mandamus illas ad valvas Basilicæ Principis Apostolorum, et Cancellariæ, Apostolicæ nec non Curiæ Generalis in Monte Citatorio, ac in Acie Campi Floræ de Urbe per aliquem ex Cursoribus Nostris, ut moris est, publicari, illarumque exempla ibidem affixa relinqui.

Datum Romæ apud S. Mariam Majorem sub Annulo Piscatoris die III. Decembris MDCCCXXXIX. Pontificatus Nostri Anno Nono.

ALOYSIUS CARD. LAMBRUSCHINI.

THE SAME IN ENGLISH.

N. B.—The translator has aimed at a verbatim rather than graceful translation.

APOSTOLIC LETTER

OF OUR MOST HOLY LORD GREGORY XVI., BY DIVINE PROVIDENCE, POPE:

CONCERNING THE NOT CARRYING ON THE TRADE IN NEGROES.

[*Arms.*]

At Rome:—By the Types of the Urban College.—1840.

GREGORY XVI., POPE.

For the future memory of the matter.

Placed at the supreme height of the Apostolate, and, although no merits of our own assisting, vicegerents of Jesus Christ, the Son of God, who, by reason of his exceeding great charity, having been made man, hath also vouchsafed to die for the redemption of the world, we consider that it pertaineth to our pastoral solicitude that we should thoroughly endeavour to turn away the faithful from the inhuman traffic in negroes, or any other class of men.

When, indeed, the light of the Gospel first began to be diffused, those wretched persons, who, at that time, in such great number, went down into the most rigorous slavery, principally by occasion of wars, felt their condition very much alleviated among the Christians. For the Apostles, inspired by the divine Spirit, taught, in fact, the slaves themselves to obey their carnal masters as Christ, and to do the will of God from the heart; but they commanded the masters to act well towards their slaves, and to do to them what is just and equal, and to forbear threatenings; knowing that there is a Master, both of those and of themselves in the heavens, and that with Him there is no respect of persons.*

Universally, however, since sincere charity to all would most strenuously be recommended by the law of the Gospel, and Christ, our Lord, could declare that he would esteem as done or denied to himself whatever of kindness or mercy might be done or denied to the least and to the poor,† it easily ensued therefrom, not only that Christians should regard their slaves, and especially Christians, as brethren,‡ but also that they should be more prone to present with

* Epist. to Ephes. vi. 5 seqq., Epist. to Colossians iii. 22 seqq. iv. 1.

† Matth. xxv. 35, seqq.

‡ Lactantius Div. Instit. Lib. v. ch. 16, vol. iv. Collection of the ancient Fathers, edited at Venice, by Gallandius, page 318.

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liberty those who might deserve it; which, indeed, Gregory, of Nyssa, indicates to have been first habitually done on the occasion of the paschal solemnities.* Nor were wanting some who, excited by more ardent charity, cast themselves into chains that they might redeem others,† of whom that apostolic man, our predecessor, Clement I., the same of most holy memory, testifies that he had known many.‡ Therefore, in the course of time, the darkness of pagan superstitions being more fully dissipated, and the morals also of the ruder nations being softened by means of faith working by charity, the matter progressed so far that now, for many ages, no slaves can be held among many Christian nations. But, grieving much we say it, there were subsequently, from the very number of the faithful, those who, basely blinded by the lust of sordid gain, in remote and distant lands, reduced to slavery Indians, negroes, or other miserable persons; or, by traffic begun and extended in those who had been made captive by others, did not hesitate to aid the shameful crime of the latter. By no means, indeed, did many Roman Pontiffs of glorious memory, our predecessors, omit severely to rebuke, according to their duty, the conduct of those persons as dangerous to their own spiritual safety, and disgraceful to the Christian name; from which, also, they perceived this to follow, that the nations of infidels would be more and more hardened to hate our true religion. To which refer the apostolic letter of Paul III., of the 29th day of May, 1537, given under the Fisherman's Ring to the cardinal archbishop of Toledo, and another, subsequently, more ample than the former, by Urban VIII., given on the 22d day of April, 1639, to the Collector of the Rights of the Apostolic Chamber in Portugal, in which letter they are by name most severely censured who should dare or presume to reduce to slavery the western or southern Indians, to sell, to buy, to exchange, or give them away, to separate them from their wives and children, or spoil them of their property and goods, to conduct or send them to other places, or in any manner to deprive them of liberty, or retain them in slavery, and also to afford to those who do the aforesaid things, counsel, aid, favour or assistance, upon any pretext or studied excuse, or to preach or teach that it is lawful, or in any other mode to co-operate in the premises.* These ordinances of the said pontiffs, Benedict XIV. afterwards confirmed and renewed by a new apostolic letter to the Bishops of Brazil, and of certain other regions, given on the 20th day of December, 1741, by which he excited the solicitude of those prelates to the same end.† Still earlier, moreover, another predecessor of ours, more ancient than these, Pius II., when, in his time, the dominion of the Portuguese was extended into Guinea, a region of the negroes, gave a letter on the 7th day of October, 1462, to the Bishop of Rubi (?) who was about to proceed thither, in which he not only conferred on that prelate proper faculties for exercising his sacred ministry in that region with greater fruit, but, on the same occasion, animadverted severely against those Christians who dragged the neophytes into slavery.‡ And, in our times, also, Pius VII., led by the same spirit of religion and charity as his predecessors, sedulously interposed his offices with influential persons, that the traffic in negroes should at length cease entirely among Christians. These ordinances and cares of our predecessors, indeed, by the aid of God, profited not a little in protecting the Indians and other persons aforesaid from the cruelty of invaders or the cupidity of Christian merchants; not so much, however, that this holy see could rejoice in the full success of its efforts in that behalf; since, on the contrary, the traffic in negroes, although in some degree diminished, is yet, hitherto, carried on by many Christians. Wherefore we, desiring to turn away so great a reproach as this from all the boundaries of Christians, and the whole matter being maturely weighed,

* Third Sermon on the Resurrection of the Lord, vol. 3, page 420, works, Paris edition, 1638.

† *Note by the Translator.*—This reference to the Trinitarians has been invidiously *italicised* by a certain profligate transcriber, with the apparent object of insinuating commendation of those abolition agents, or slave-stealers, who (fanatics themselves or hirelings of fanatics) are engaged in facilitating the escape of runaway slaves from the Southern States, and who sometimes, though too seldom, incur the penalties of the violated laws of their country. The candid reader, however, should be informed that there existed, in "the ages of Faith," numerous fraternities of devoted men, who, fortified by previous discipline to encounter the temptations of that state, went into voluntary servitude in exchange for slaves, whose freedom they purchased with their own, thus, literally "being made captives by the love of Christ." When abolitionists do this, or anything like it, we may believe they are led by the "spirit that is first pure, then peaceable," but not till then.

‡ To Corinth. Epist. 1, chap. 55, vol. 1, Gallandius collection, p. 35.

* In Bullarium Romanum, printed by Mainard, vol. vi. part 2, const. 604, p. 183.

† In the Bullarium of Benedict XIV. vol. 1, const. 1, 38.

‡ Raynald's Ecclesiastical Annals for the year 1462, n. 42.

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certain cardinals of the holy Roman Church, our venerable brethren being also called into council, treading in the footsteps of our predecessors, with apostolic authority, do vehemently admonish and adjure in the Lord all believers in Christ, of whatsoever condition, that no one hereafter may dare unjustly to molest Indians, negroes, or other men of this sort; or to spoil them of their goods; or to reduce them to slavery; or to extend help or favour to others who perpetrate such things against them; or to exercise that inhuman trade by which negroes, as if they were not men, but mere animals, howsoever reduced into slavery, are, without any distinction, contrary to the laws of justice and humanity, bought, sold, and doomed sometimes to the most severe and exhausting labours; and, moreover, the hope of gain being by that trade proposed to the first captors of the negroes, dissensions, also, and, as it were, perpetual wars are fomented in their countries. We, indeed, with apostolic authority, do reprobate all the aforesaid actions as utterly unworthy of the Christian name; and, by the same apostolic authority, do strictly prohibit and interdict that any ecclesiastic or lay person shall presume to defend that very trade in negroes as lawful under any pretext or studied excuse, or otherwise to preach, or in any manner, publicly or privately, to teach contrary to those things which WE have charged in this, our Apostolic Letter. But that this, our same letter, may be more easily notorious to all, nor any one may be able to allege ignorance of it, we decree and order it to be published, as is customary, by one of our cursitors, at the doors of the church of the Prince of the Apostles, of the Apostolic Chancery, and of the General Court upon Mount Citorio, and at (the line?) of the Campo di Fiora de urbe, and the copies to be fixed there.

Given at Rome, at St. Mary Major's, under the Fisherman's Ring, on the 3d day of December, 1839, in the ninth year of our pontificate.

ALOYSIUS CARDINAL LAMBRUSCHINI.

[The following is an extract from the United States Catholic Miscellany, for March 14, 1840.]

THE SLAVE TRADE.

The letters on this subject, issued by the holy father will be found on our columns. The gross misconduct of Spain and Portugal, during ages, in carrying on this traffic is palpably cruel and demoralizing. More than a quarter of a century has passed away since our Union has lifted her voice and armed her fleets for its suppression. Slavery it is true, continues amongst us, and whatever may be the opinions and desires of the South upon the subject, it is impossible that it should be abolished for a considerable time to come, without the most injurious results, not merely to property but to society. The physical situation of our slaves is, to say the least, equally good as that of any labouring population in Christendom. Of the moral effects of a state which admits of no immediate change it is useless to treat. We will only remark from our own experience that no truth is to us more evident than that intermeddling of northern abolitionists has tended to retard the generous and humane efforts which the Southern proprietors were spontaneously making for the increase of the comforts and the amelioration of the moral condition of the slave. They are in a different position from those who have been the former traders in the African market, who have thence brought away the negro and taken the money of the South for him whom they sold into slavery, and now, having no sacrifice of their own to make, call upon the South in the name of humanity to emancipate those whose price has enriched themselves.

The papal document teaches two great principles to which we firmly adhere, viz.: That it is highly unbecoming in those who profess the Christian name, to reduce into slavery those who have their natural freedom, and to inflict upon them all the consequent evils of bondage, and, that it is unbecoming in a Christian to treat one who is in servitude with cruelty or with undeserved harshness, oppression or injury,—and that not only their physical but moral necessities, should be liberally provided for by those to whom they belong.

But in preferring that there should be that absence of servitude which once generally prevailed throughout Christendom; the document is far from censuring those, who without their own choice, have been placed under the necessity of managing their property with a delicacy, a responsibility and perplexity, to which they who vilify us are strangers. Whatever our own wishes respecting slavery may be, we are firmly of the opinion, that in all the South there is less cruelty and injustice committed against the slave by his owner, than there is committed by the American abolitionists against the American slaveholders.

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LETTER I.

To the Hon. John Forsyth, Secretary of State, United States.

Charleston, September 29th, 1840.

SIR:—Your address to the people of Georgia, dated at Fredericksburg, Va., August 29, is now before me. Appended to it is the state of the vote at the Harrisburg Convention, by which General Harrison was chosen as the candidate for the Presidency, upon whom the opponents of the present administration had determined to rally. Your object, as you declare in the address, is to show that "he was forced upon the southern portion of [the opposition] by the combination of anti-masonry and *abolitionism*." The exhibition of the document was intended for this purpose.

In another part of your address you advert to the conduct of Great Britain respecting slaves, and make special reference to two resolutions unanimously adopted by "the World's Convention," which met in London in the month of June last, and which you thus describe:

"Those resolutions denounce the removal of slaves from the old to the new states as an unrighteous traffic, of which 80,000 are annually victims, as exciting detestation. Surprise and abhorrence are acknowledged, that it should be protected and cherished by this government. That it involves hardness of heart in the traders, and cruelty to the negroes, is asserted; and that effectual means should be immediately taken to remove this *stain* from the *character of this nation*. Was there ever such a compound of ignorance, folly, and insolence? The brutal O'Connell was quite at home in such a convention; and his insults to the representative of a foreign government near his own, his vituperation of two of our eminent public men, were quite in harmony with the occasion. The transportation of our property from Virginia to Louisiana—the internal slave trade, mark you—is 'unrighteous,' and effectual means ought to be taken in the United States forthwith to remove the *stain* from this nation. What are those means? We can guess. First, prohibition by Congress of the transportation of slaves, by land or by sea, from one state to another; next, a prohibition of the sale of slaves by one man to another in the same state; and then we shall be ripe for either of the late Mr. Rufus King's or General Harrison's plan of gradual emancipation; the government purchase of the blacks by the proceeds of the public lands, or by the use of the surplus revenue,—taxes and duties being properly increased to make that surplus large enough to effectuate the object."

You place the two resolutions in your appendix also. You have, in the same address also, the following passage respecting the British government: "The same government has been lately employing itself as the volunteer or selected agent of the Pope in presenting an apostolic letter on slavery to some of the Spanish American states,—a letter which it is not at all improbable was prepared under influence proceeding from the British isles." And you place this letter upon your appendix. Do I venture a rash opinion, when I say that your object was, to show a union of sentiment, if not a co-operation hostile to southern interests, between the abolitionist supporters of General Harrison, the British government, the World's Convention, including the brutal O'Connell and his holiness the Pope? And that, therefore, all these should be held in fear and detestation by the South?

Though I have had the honour of an interview with you only once, and that several years since at Milledgeville, when you were governor of Georgia, I presume we are sufficiently acquainted, each with the character of the other, to warrant my addressing you not as a stranger. For you personally I have high regard; for your public conduct in many places of trust and honour, I have great respect; the administration in which you hold so prominent a place, has my full confidence; and did I take an active part in politics, it should have my feeble aid.

I have been opposed, elsewhere, in the performance of the duties of my spiritual office, by the leading abolitionists of the United States, upon the ground of my being a bishop in the southern slaveholding states, and for having reproved Mr. O'Connell's assaults upon our planters more than eleven years ago; and my judgment and feeling are now what they were then. Yet I do not consider Mr. O'Connell a brute, though I have often told him that his charges were unwarranted and harsh; nor do I think it would be proper to "stop his wind," though I greatly disapprove of his vituperation of our country; and as regards the anti-slavery folks in Great Britain, you may judge of my attachment to them, and my respect for their love of liberty, when I tell you, that for years, whilst I resided in Ireland under the operation of the persecuting code of Britain, I witnessed the yearly display by the anti-slavery society of the preparation and presentation to parliament of two petitions; one for abolishing the slavery of the negroes in the West Indies, the other for riveting the chains of the white slaves in Ireland, by continuing to enforce the penal laws against the Roman Catholics. Mr. O'Connell, at that period, had, as one of his humble associates in the effort to procure the repeal of those laws, the individual who has the honour to address you at present;

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and frequently has that individual listened with delight to the exciting eloquence in which Mr. O'Connell portrayed the sanctimonious hypocrisy of a heartless band, that, with words of pity on the lips, with wailing in the tone, with wo upon the visage, and bigotry where the heart should have been, persisted, year succeeding year, in this course, until the Catholic extorted his partial freedom against their will! Mr. O'Connell has not, I hope, more charity than I to forgive those whom God has commanded me to forgive, if I expect pardon for my own sins; but I shall not be found with Mr. O'Connell, banded with men whom I believe to be unchanged in their principles, though not placed in the same circumstances which formerly gave a better opportunity for showing them such as they are.

I have now, sir, reduced our ground of examination to a more narrow space. That space is the letter of the Pope and its circumstances.

I assume you to have insinuated that the letter was written under influences proceeding from the British isles. Upon what do you build this insinuation? It becomes a man in your position, in such a case, to speak out, and to have no reserve. Your position affords ample opportunities of learning the influence at foreign courts. Do you know of any influence which the anti-slavery folks of the British isles had in this case? If you do, you owe it to us of the South in particular to exhibit it, and to let us know its extent, as well as its object.

Now, sir, I am of opinion that British influence has had as little connexion with this letter as Georgian influence had; because, in the first place, this is by no means a novel procedure on the part of the Holy See. The Pope tells us, that he did it from a sense of duty "We deem that it becomes our pastoral solicitude." And though statesmen, in general, pay very little regard to the declaration of motives in state-papers, you will allow me to say that I have had repeated opportunities of satisfying my own mind as to the personal character of the present supreme Pontiff; and with me, his declaration of a motive is conclusive evidence, and settles my opinion.

The very tenor of the document shows that he acted not in a novel or unusual course, but in perfect accordance with the principle which influenced the body over which he presides, from its very origin, during successive centuries. Why then seek, in British influence, a cause for his conduct on the present occasion?

He mentions similar acts of several of his predecessors; Pius II., in 1462, when Edward IV. was King of England, and the rival houses of York and Lancaster gave to the British people other occupation than that of interfering with the Portuguese and the negroes in Africa; Pope Paul III., who wrote in 1537, succeeded Clement VII., in whose pontificate the kingdom of England was separated from the Holy See; and it will scarcely be asserted that the apostolic letter issued by this Pope, on the 29th of May of that year, was the result of British influence. You will not say that the British, who, in 1639, were regarded as the most virulent opponents of the Holy See, had influence, and used it to procure that Pope Urban VIII. should issue a similar apostolic letter on the 22d of April, exactly the day after Charles I. had cast the lords Brook and Say into prison, and was so perplexed by the Scotch Covenanters. Nor will you venture to assert that it was British influence procured that a similar apostolic letter should be issued by Benedict XIV. in 1741, when, under George II., the execution of the penal laws against Catholics was in full vigour. And though the anti-slavery societies existed in Great Britain and Ireland during the pontificate of Pius VII., in the first portion of the present century, yet were the penal laws, to a considerable extent, also in full vigour; and you will scarcely expect us to believe that this society, which presented its annual petition for the persecution of Catholics and the abolition of negro slavery, had great influence with his holiness. Thus, sir, I give you some of the reasons for my opinion that your insinuation against the Pope is wholly without foundation.

I now proceed, sir, to establish another distinction, which I am astonished you could have overlooked. The distinction between the "slave-trade," as prohibited by the United States, and the engagement in which would be a high crime, I believe a felony, in any one of their citizens, and the continuance of "domestic slavery" in any of the states by the authority of that state, and with the existence or regulation of which the government of the United States has no concern whatsoever.

The British Anti-slavery Society, Mr. O'Connell, and the American abolitionists, are equally opposed to both, in all places, and at all times; and they specially wage war upon us at the South for the continuance of this "domestic servitude." The Pope neither mentions nor alludes to this latter in his apostolic letter, which is directed, as were those of his predecessors, solely and exclusively against the former. Yet,

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sir, you confound his letter with the deeds of the societies; and you use the vague expression, "an apostolic letter on slavery," instead of the precise one, "against being engaged in the slave-trade," which we should expect from so able and experienced a diplomatist, holding for years the high office of secretary of state of these confederated republics.

I should suppose, sir, that, to a deeply read and experienced statesman, who has been in Italy, Spain, and I believe other parts of Europe, not merely for idle tour-making, but engaged with courts on public business, the precise and fixed meaning of the expression, "traffic in negroes," would be as familiar as "household words:" and that Mr. Forsyth would not stand in need of being reminded by me, that, in the language of continental Europe, it is precisely and exclusively what the United States knows as criminal trading in slaves; that it is not at all applicable to what is known amongst us as "domestic slavery." The Roman Catholic Church, which is that of those nations to which I more particularly allude, has always observed this distinction; and it is one as obvious as that which exists between the words "foreign" and "domestic."

The Pope's letter specially describes the traffic, in three places. In one it says, "reduced (in remote lands) Indians, negroes and other unfortunate beings, into slavery." This is the first ingredient in the crime, viz.: *reducing those who were free into slavery*, and this in remote lands, which belonged to those so reduced into slavery, and by foreign invaders. The citizens of Georgia have not reduced any such persons into slavery. The letter then designates another class as criminal by becoming accessories, "or the traffic *in those who had been made captive, by others who* did not hesitate to encourage or profit by such unworthy actions;"—now by the laws of the United States since the year 1808, it would be criminal in one of our citizens to go to Africa and there reduce a negro into slavery, from freedom, or to purchase and ship for a foreign port a negro so enslaved by another, or to introduce him into Georgia or any other place in the United States. This is what is commonly known as the "slave-trade" or "traffic in negroes," and this is precisely what these several Popes reprehended and declared to be unlawful.

In the next place it is described by an extract from the letters of Pope Urban VIII., in precisely similar terms, who *reduce into slavery*, evidently contemplating persons previously free, and then respecting *the same persons;* that is, those who had been *reduced into* slavery; *buy, sell, exchange*, or *give them away; separate them from their wives and children;* the next expressions could not be, by any effort of ingenuity, used respecting "domestic slaves," such as are in our states, *despoil them of their goods, or possessions*, because in the canon law as well as in the civil law, the *mancipium* or "domestic slave," had no property or possession, except what was permitted to him as a *peculium* or allowance. *Carry or send them to other regions*, which is incompatible with "domestic slavery," but precisely the character of the "slave-trade," *or in any manner deprive them of their liberty*, which the domestic slave never had, and of which he could not be deprived; *retain them*, that is, those deprived of their liberty, *in servitude*, &c.

I now proceed to show from the enacting words, if I may use the expression, of the apostolical letter of his holiness Pope Gregory XVI. that only the "slave-trade" is condemned.

It *admonishes* and *conjures earnestly* in the Lord—1. Not to molest *unjustly*. 2. Not to despoil of *their goods*. 3. Not to *reduce into slavery*, negroes or any other race of men. 4. Not to render countenance or assistance to those guilty of such practices. 5. Not to be engaged in the sale or purchase, in the inhuman commerce by which negroes are sometimes devoted to intolerable labour. That this commerce is what our laws condemn as the "slave-trade," and not that sale and purchase which must frequently occur in domestic slavery, is manifest from the consequence which is described, following as a matter of course from the traffic, "through the love of gain held out to the first possessors of the negroes," that is, the African chieftains; "dissensions and perpetual wars are fomented throughout the regions which they inhabit,"—and upon all these considerations he prohibits the teaching that "this traffic in negroes," that is, the "slave-trade" is lawful.

Thus, sir, it is manifest that you would be equally justified in placing our federal government, under the administration of Mr. Van Buren, and yourself, in company with British and American abolitionists, as you were in placing his holiness Pope Gregory XVI. there. Is it not a little strange, sir, that whilst you exhibit him, and by implication me and my flock, as allied with the abolitionists,—the abolitionists themselves, by a select division to whom it was entrusted in New York, drew up a petition which they forwarded to Hayti for signatures, and which was presented to President Boyer, by the general of division at Port au Prince, re-

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questing that no communication should be held with me as envoy from this same Pope Gregory XVI., upon the ground that he was not averse to southern slavery, and that I was an enemy to Daniel O'Connell, and an enemy to negroes? Yes, sir, in a conversation which I held with President Boyer, he acknowledged to me the receipt of the petition, when, to spare him the trouble of an examination to discover my sentiments, I informed him that I was aware of the origin and history of the document, and had requested the interview for the purpose of giving him the necessary explanation. He has more common sense than most of the abolitionists, and makes more just allowance for the position of the southern planters than do their fellow-citizens; and he had the candour and honour to declare that though he must deprecate slavery in every shape, yet from what I told him, he was happy to feel that there were great humanity and very creditable feelings of kindness to their slaves in the great bulk of the southern proprietors, and he added, that he would be devoid of every principle of honour were he to deny the kindness and affection of many of the Spanish proprietors to their slaves in the eastern part of Hayti, previous to the revolution.

This, sir, is the fate of the Catholics of the United States; they are the shuttlecock for the parties of the republics,—threatened by the myrmidons of General Harrison's party to-day, and placed in a false position by Mr. Van Buren's secretary of state the next moment. There is, however, sir, one at least of that body who will not submit to the infliction from either one party or the other, from friend or from foe, without endeavouring, however humble his place in the republic, and however powerless his pen, at least to demand more just conduct towards the body to which he has the honour to belong, even though he may not succeed in obtaining what he seeks.

In my next, sir, I shall give additional reasons to show that our holy father, Pope Gregory XVI., is not the associate of the abolitionists, and that the Catholics of the South should not be rendered objects of suspicion to their fellow-citizens.

I have the honour to be, sir,

Respectfully,

† JOHN, *Bishop of Charleston.*

LETTER II.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I proceed to give additional reasons to show that the letter of our holy father, Pope Gregory XVI., regarded only the "slave-trade." At the late council in Baltimore, that document was formally read and accepted by the prelates of the United States. Did it contain anything contrary to their judgment, respecting faith or morals, it would have been their duty to have respectfully sent their statement of such difference to the Holy See, together with their reasons for such dissent. Did they believe it contained the correct exposition of Christian morality, and were aware that in the ecclesiastical province of the United States, under their charge, there existed practices in opposition to that exposition, it would have been their duty to use their best efforts to have such practices discontinued, and to refuse sacraments to those who would persevere in the immoral conduct which it denounced.

Thus, if this document condemned our domestic slavery as an unlawful and consequently immoral practice, the bishops could not have accepted it without being bound to refuse the sacraments to all who were slaveholders unless they manumitted their slaves; yet, if you look to the prelates who accepted the document, for the acceptation was immediate and unanimous: you will find, 1st, the Archbishop of Baltimore, who is also the administrator of Richmond, having charge of the slaveholding territory of the states of Maryland and Virginia, and the District of Columbia; 2d, the Bishop of Bardstown, having charge of the slaveholding state of Kentucky; 3d, the Bishop of Charleston, having charge of the slaveholding states of North Carolina, South Carolina, and Georgia; 4th, the Bishop of St. Louis, having charge of the slaveholding states of Missouri and Arkansas; 5th, the Bishop of Mobile, having charge of the slaveholding state of Alabama and the Territory of Florida; 6th, the Bishop of New Orleans, having charge of the slaveholding states of Louisiana and Mississippi; and, 7th, the Bishop of Nashville, having charge of the slaveholding state of Tennessee. They formed a majority of the council, and were in charge of all the slaveholding portion of the Union. Amongst the most pious and religious of their flocks, are large slaveholders, who are most exact in performing all their Christian duties, and who frequently receive the sacraments. The prelates, under whose charge they are, have never, since the day on which they accepted this letter, indicated to them the necessity of, in any manner, adopting any new rule of conduct respecting their slaves. Nor did the other six prelates, under whose charge neither slaves nor slaveholders are found,

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express to their brethren any new views upon the subject, because they all regarded the letter as treating of the "slave-trade," and not as touching "domestic slavery."

I believe, sir, we may consider this to be pretty conclusive evidence as to the light in which that document is viewed by the Roman Catholic Church.

Since the issuing of this document, the Holy See has been in treaty with Portugal, which has, first and last, been most deeply engaged in this cruel traffic, and I have good reason to believe that one of the stipulations without which the Holy See will not conclude the treaty is, that the Portuguese government will act as ours did upwards of thirty years since, and prohibit this desolating, criminal, and inhuman system of murder, ruin, and desolation. What southern planter would deliberately sanction a system of which the following passage of a letter, from a highly creditable person, is but the description of a trifling appendage?

"*Sierra Leone, June* 18, 1840.—The slave-trade is by no means extinguished upon this coast; it is, however, more covertly conducted. From the most accurate sources of information, I can fairly state that not one out of seven slave-ships is caught by the British cruisers. There is more secrecy, but the trade is nearly as frequent as before, but more profitable, and for that reason more alluring. A few days ago I visited a captured slaver. In a space which a moderate sized French bedstead would occupy, I have seen forty-five unhappy wretches packed, without regard to age or constitution, like herrings in a barrel. I saw them fed after they had been captured. On a shell about the size of a half crown piece, was deposited a pinch of salt, for which a father and four children contended, each endeavouring to scramble a portion to eat with his rice. I have seen four children packed in a cask I thought it impossible to contain one."

It is against this desperate traffic, in which Portugal and Spain* have had so enormous a share, that the Pope's letter is directed, and not against domestic slavery, [of] the existence of which he is conscious, but respecting which he uses no action, and which rests upon a totally different basis, as it is perfectly unconnected with cruelty such as is above described.

If you will permit myself, sir, to be a witness in this case, I can inform you, that in different audiences which I had of his holiness upon the subject of religion in Hayti, I urged, amongst other topics, to induce him to make a selection of a different person as his envoy, my peculiar position; I stated that my being a bishop of the diocess, within the limits of which was contained the most numerous negro slave population that is to be found in any diocess in the world, would render me unacceptable to the Haytian government, and that being engaged to transact the ecclesiastical organization of that island, would probably render me unacceptable in my own diocess. His holiness met me by stating the very distinction to which I have been drawing your attention. "Though the Southern States of your Union have had domestic slavery as an heir-loom, whether they would or not, they are not engaged in the *negro traffic*," that is, the "slave-trade."

Thus, sir, I trust I have succeeded in showing that this letter of his holiness which you described to be "an apostolic letter on slavery"—does, in fact, regard only that "slave-trade" which the United States condemn, and not that domestic slavery which exists in our Southern States.

But, sir, I regard this subject as one of great moment at the present time, and likely to become much more troublesome before many years shall elapse; I shall, therefore, enter more deeply upon its elucidation.

Respecting domestic slavery, we distinguish it from the compulsory slavery of an invaded people in its several degrees. I shall touch upon the varieties separately. The first is "voluntary;" that which exists amongst us is not of that description, though I know very many instances where I have found it to be so; but I regard not the cases of individuals, I look to the class. In examining the lawfulness of voluntary slavery, we shall test a principle against which abolitionists contend. They assert, generally, that slavery is contrary to the natural law.

* SPAIN.—We are desired by Bishop England to state that in mentioning Spain and Portugal as concerned in the "slave-trade," he did not mean to deny that the Spanish government had, in 1825, legally abolished the traffic; but nothing is more notorious than the continued introduction of negroes from Africa into the ports of her colonies by the connivance of her officers, for whom the prohibition and the introduction produce large incomes.

Not only is Spain thus made a participator, but we have had given to us the names of zealous and noisy abolitionists at the North, who we are told make largely at the present day by the traffic. We have ourselves seen in ports in the United States, within ten years, several vessels fitted out evidently for this trade, and notoriously employed in it, and owned by our Northern merchants, but against which legal proof could not be exhibited.

If our information be correct, and we have reason to think it is, several of the prominent abolitionists participate in worse cruelty than is known to the planter.—Misc., vol. xx., p. 119.

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The soundness of their position will be tried by inquiring into the lawfulness of holding in slavery a person, who has voluntarily sold himself. Our theological authors lay down a principle, that man in his natural state is master of his own liberty, and may dispose of it as he sees proper; as in the case of a Hebrew, (Exodus xxi. 5,) who preferred remaining with his wife and children as a slave, to going into that freedom to which he had a right; and as in the case of the Hebrew, (Levit. xxv. 47,) who, by reason of his poverty, would sell himself to a sojourner or to a stranger. Life and its preservation are more valuable than liberty, and hence when Esther addresses Assuerus, (vii. 4,) she lays down the principle very plainly and naturally. "For we are sold, I and my people, to be destroyed and slain, and to perish. But if we had been sold for bondsmen and bondswomen, I had held my tongue." The natural law then does not prohibit a man from bartering his liberty and his services to save his life, to provide for his sustenance, to secure other enjoyments which he prefers to that freedom and to that right to his own labour, which he gives in exchange for life and protection. Nor does the natural law prohibit another man from procuring and bestowing upon him those advantages, in return for which he has agreed to bind himself to that other man's service, provided he takes no unjust advantage in the bargain. Thus a state of voluntary slavery is not prohibited by the law of nature; that is, a state in which one man has the dominion over the labour and the ingenuity of another to the end of his life, and consequently in which that labour and ingenuity are the property of him who has the dominion, and are justly applicable to the benefit of the master and not of the slave. All our theologians have from the earliest epoch sustained, that though in a state of pure nature all men are equal, yet the natural law does not prohibit one man from having dominion over the useful action of another as his slave; provided this dominion be obtained by a just title. That one man may voluntarily give this title to another, is plain from the principle exhibited, and from the divine sanction to which I have alluded.

In one point of view, indeed, we may say that the natural law does not establish slavery, but it does not forbid it—and I doubt how far any of the advocates of abolition would consent to take up for refutation, the following passage of St. Thomas of Aquin,—1, 2, q. 94, a. 5, ad. 2.

"The common possession of all things is said to be of the natural law, because the distinction of possessions and slavery were not introduced by nature, but by the reason of man, for the benefit of human life: and thus the law of nature is not changed by their introduction, but an addition is made thereto."

As well may the wealthy merchant then assert, that it is against the law of nature that one man should possess a larger share of the common fund belonging to the human family for his exclusive benefit, as that it is against the law of nature for one man to be the slave of another. The existence of slavery is considered by our theologians to be as little incompatible with the natural law as is the existence of property. The sole question will be in each case, whether the title on which the dominion is claimed be valid.

I know many slaves who would not accept their freedom; I know some who have refused it; and though our domestic slavery must upon the whole be regarded as involuntary, still the exceptions are not so few as are imagined by strangers.

It may be asked why any one should prefer slavery to freedom. I know many instances where the advantages to the individual are very great; and so, sir, I am confident do you, yet I am not in love with the existence of slavery. I would never aid in establishing it where it did not exist. St. Thomas gives very briefly one of the principles upon which the answer may rest, and Aristotle sustains him (*in* 1 *Polit. c.* 3 *circa fin. T.* 5,) in his view. St. Thomas is proving that the law of nations is distinct from the natural law, and answering an assertion that slavery is of the natural law, because some men are naturally fitted for slavery.

"This man is a slave, absolutely speaking, rather a son, not by any natural cause, but by reason of the benefits which are produced, for it is more beneficial to this one to be governed by one who has more wisdom, and to the other to be helped by the labour of the former. Hence the state of slavery belongs principally to the law of nations, and to the natural law only in the second degree, not in the first. 2. 2. q. 57. a. 3. ad. 2."

The situation of a slave, under a humane master, insures to him food, raiment, and dwelling, together with a variety of little comforts; it relieves him from the apprehensions of neglect in sickness, from all solicitude for the support of his family, and in return, all that is required is fidelity and moderate labour. I do not deny that slavery has its evils, but the above are no despicable benefits. Hence I have known many freedmen who regretted their manumission.

In examining the case of the voluntary slave, sir, we have then discovered some of the grounds upon which Catholic divines, however they may deprecate its existence,

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teach that slavery is perfectly compatible with the natural law, and that it has been introduced by the law of nations.

It will be useful to draw your attention, sir, to another distinction made by our divines, and which many of our speculative philosophers disregard. The natural state of man, in the day of his innocence, was very different from that in which he is placed since his fall; and the good gentlemen, in their abstractions, appear to forget the consequences of that original transgression. Death, sickness, and a large train of what are now called natural evils, are by Roman Catholics considered to be the consequences of sin. Slavery is an evil and is also a consequence of sin. Thus St. Augustin, Bishop of Hippo, A. D. 425, in his book "Of the City of God," lib. xix. c. 15, informs us that slavery is the consequence of sin. "The condition of slavery is justly regarded as imposed upon the sinner. Hence we never read *slave* in the Scriptures before the just Noe, by his word, punished the sin of his son. Sin, not nature, thus introduced the word."

St. Ambrose, Bishop of Milan, A. D. 390, in his book "On Elias and Fasting," c. v. "There would be no slavery to-day, had there not been drunkenness." And St. John Chrysostom, Bishop of Constantinople, A. D. 400, Hom. xxix. in Gen.: "Behold brethren born of the same mother; sin makes one of them a servant, and taking away his liberty, lays him under subjection." I could multiply quotations, but it is not requisite. Catholic divines are agreed in the principle that the origin of slavery, as of all our infirmities and afflictions, is to be found in sin. Hence it is overlooking one of the essential ingredients in our present condition, for a person who believes in the fall of man, as every Catholic must, to reason upon abstract speculations without taking this important fact into consideration. And besides looking generally at this fact and its results, he should also consider the full force of the sentence (Gen. ix. 25), "Cursed be Canaan, a servant of servants shall he be unto his brethren." Let him add to this the two succeeding verses, in which Sem and Japheth are promised the service of Canaan. It certainly was not then against the divine law for Sem and Japheth to use the service of Canaan.

Pope Gelasius I., A. D. 491, in his letters to the bishops of the Picene territory, the present march of Ancona, in Italy, writing against the Pelagian heresy, states slavery to have been a consequence of sin, and to have been established by human law.—Labbe iv. col. 1176—E. And in the book xix., "On the City of God," chap. 16, St. Augustin argues at length to show that the peace and good order of society, as well as religious duty, demand that the wholesome laws of the state regulating the conduct of the slaves, should be conscientiously observed.

Slavery, then, sir, is regarded by that church of which the Pope is the presiding officer, not to be incompatible with the natural law, to be the result of sin by divine dispensation, to have been established by human legislation, and when the dominion of the slave is justly acquired by the master to be lawful, not only in the sight of the human tribunal, but also in the eye of Heaven; but not so the "slave-trade," or the reducing into slavery the African and Indian in the manner that Portugal and Spain sanctioned, which they continue in many instances still to perpetrate, and which the apostolic letters have justly censured as unlawful.

The distinction will, I trust, be rendered more obvious as I proceed.

I am, sir, respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., October 7th, 1840.

LETTER III.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I now proceed to examine the titles which divines and canonists have considered to be good and valid for the possession of a slave.

In their definitions and remarks they always restrict that dominion to what is called service of the body, not of the soul, which latter was not held in bondage.

The slave was accountable to God for his morality, and hence the master could not require him to lay aside the practice of religion, or to do an immoral act, but he could command his labour, and was bound to give the necessaries of life.

Bergier very properly remarks, (*Dict. Theolog.* Art. *Esclave*,) that in the wandering state of early tribes and families, where civil society had yet been scarcely, and in only few places established, a servant could not change his master without expatriation, nor could a master send away his servants without destroying his family, and in this state of things domestic slavery became inevitable. It was, however, he remarks, very greatly mitigated under the patriarchal government, and he instances one great benefit which would accrue, though cer-

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tainly very seldom to the servant. Genesis xv. 2: "And Abram said, Lord God, what wilt thou give me? I shall go without children: and the son of the steward of my house is this Damascus Eliezer. 3. And Abram added: but to me thou hast not given seed; and lo my servant born in my house shall be my heir."

He adds, that civil liberty became a benefit, only after the establishment of civil society, when man had the protection of law, and multiplied facilities for subsistence: that previous to this, absolute freedom would be an injury to a person bereft of flocks, herds, lands, and servants; hence, that Abraham and the other patriarchs held great numbers of slaves, whom they treated with parental care, and governed by wholesome discipline, and whose services were absolutely the property of their masters.

Job possessed slaves, and he treated them with kindness, xxxi. 13: "If I have despised to abide judgment with my man-servant, or my maid-servant, when they had controversy against me. 14. For what shall I do, when God will rise to judge? And when he shall examine, what shall I answer him? 15. Did not he that made me in the womb, make him also, and did not one and the same form us in the womb?"

How came these patriarchs to have property in those slaves? Many of them were born in their houses, that is, of their servants, and this was acknowledged to be a good title, not only by the law of nations, but clearly, in the case before us, by the law of God. But how were their parents slaves? Perhaps originally they voluntarily became so. They might also have been bought from others who had acquired a just dominion, by that or by some other good title. I am now only treating of the title which rests on birth, the validity of which the patriarchs thus testified. In Genesis xiv. 14, we find Abraham arming three hundred and eighteen of his trained servants born in his house, to accompany him to the rescue of Lot. In chapter xv., we find Eliezer Damascus, his servant born in his house. In chapter xvi., we find Agar, the Egyptian, a maid or slave of Sarai, whom she introduced as a wife of an inferior rank to Abraham. In chapter xxi., we find this bondswoman, or slave of Sarai, together with her son Ishmael, who was the slave equally as he was the son of Abraham, sent away by the direction of her mistress Sarai, as in chapter xvi., we find that Abraham declared to Sarai, "Behold thy handmaid is thy own hand, use her as it pleaseth thee." Grotius says it was a concession of power even to put her to death, and St. John Chrysostom, Hom. 37, describes it as an unlimited power of punishment for petulance and insubordination; which Calmet, in his remarks on this place, says every master had over his slave, and every husband had over the slave of his wife. In chapter xvii., when God is making a covenant with Abraham, he recognises the validity of this title to servitude by birth. 12. "He that is born in the house, as well as the bought servant, shall be circumcised." 23. "Then Abraham took Ishmael his son, and all that were born in his house, and all whom he had bought, every male among the men of his house, and he circumcised the flesh of their foreskin forthwith the very same day, as God had commanded him." 27. "And all the men of his house, as well they that were born in his house, as the bought servants and strangers, were circumcised with him."

Thus God himself recognised the validity of the title to a slave founded upon purchases, as well as upon birth.

The title by donation or gift, is equally plain as is that by purchase. Genesis xx. 14: "And Abimelech took sheep, and oxen and servants and handmaids, and gave to Abraham." They accompanied their mistress upon marriage. (Genesis xxiv. 61.) We may observe the same in Genesis xxx. 43; xxxi. 21.

The titles thus seen are, fair purchase, or gift, and birth.

When Moses led the people from Egypt, the Lord himself gave to him, in the desert, laws not only for morality, but also for the ritual service of religion, and a civil or political code.

I shall dwell very briefly upon this latter: but I shall previously remark, that in the great moral code known as the Decalogue, the Almighty recognises the legitimate existence of slavery. Exodus xx. 10: "But on the seventh day is the Sabbath of the Lord thy God; thou shalt do no work on it, thou nor thy son, nor thy daughter, nor thy *man servant*, nor thy *maid servant*, nor thy beast, nor the stranger that is within thy gates." 17. "Thou shalt not covet thy neighbour's house; neither shalt thou desire his wife, nor his *servant*, nor his *handmaid;* nor his ox, nor his ass, nor anything that is his."

In the political or civil legislation, of which God himself is the author, we find provision made for—

1. The temporary slavery of a Hebrew. Exodus xxi. 2: "If thou buy a Hebrew servant, six years shall he serve thee: and in the seventh he shall go free, for no-

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thing." Leviticus xxv. 39: "If thy brother, constrained by poverty, sell himself to thee, thou shalt not oppress him with the service of bond servants. 40. But he shall be with thee as a hireling and a sojourner: he shall work with thee until the year of the jubilee. 41. And afterwards he shall go out with his children, and shall return to his kindred and the possession of his fathers. 42. For they are my servants, and I brought them out of the land of Egypt: let them not be sold as bondsmen. 43. Afflict him not by might, but fear thy God."

2. Provision was made for his clothing and his family, Exodus xxi. 3: "With what raiment he came in, with the like let him go out: if having a wife, his wife shall go out with him." Leviticus xxv. 41: "He shall go out with his children." Thus the Hebrew could sell only his labour until the year of the jubilee, because God bestowed upon him a special right. 42. His wife and children were free; and Calmet, quoting Selden, (li. 6, c. i. de jure nat. et gent.,) states that the master was obliged to support the family.

3. Provision was made for his relief, at the time of completing his servitude. Deuteronomy xv. 1: "In the seventh year thou shalt make a remission." 12. "When thy brother, a Hebrew man, or a Hebrew woman is sold to thee, and hath served thee six years, in the seventh thou shalt let him go free. 13. And when thou sendest him out free, thou shalt not let him go away empty. 14. But shalt give him for his way, out of thy flock, and out of thy barn-floor, and thy wine-press, wherewith the Lord thy God shall bless thee. 15. Remember that thou also wast a bond servant in the land of Egypt, and the Lord thy God made thee free: and therefore I now command thee this." 18. "Turn not away thy eyes from them, when thou makest them free: because he hath served thee six years, according to the wages of a hireling: that the Lord thy God may bless thee in all the works thou dost."

4. Provision was made for the case of his marrying a slave. Exodus xxi. 4: "But if his master give him a wife, and she hath borne him sons and daughters, the woman and her children shall be her master's; but he himself shall go out with his raiment."

5. Provision was made for the man's continuance in servitude, should he prefer it to his liberty, in order to remain with his enslaved wife and children. Exodus xxi. 5: "And if the servant shall say: I love my master, and my wife and children. I will not go out free. 6. His master shall bring him to the gods (judges), and he shall be set to the door and the posts, and he shall bore his ear through with an awl: and he shall be his servant for ever." Deuteronomy xv. 16: "But if he say: I will not depart: because he loveth thee and thy house, and findeth that he is well with thee: 17. Thou shalt take an awl, and bore through his ear in the door of thy house; and he shall serve thee for ever: thou shalt do in like manner to thy woman-servant also."

6. Provision was made for the case of a Hebrew who sold himself in servitude to a stranger. The desire of the great legislator of this people was, to keep them separate from the other nations, and especially to preserve the integrity of their religion, by preventing their falling under the dominion of the idolatrous people by whom they were surrounded. Hence the greatest care was taken to prevent servitude to strangers, and to facilitate, without injustice, the redemption of those who became its subjects. Thus it was regulated. Leviticus xxv. 47: "If the hand of a stranger or a sojourner grow strong among you, and thy brother, being impoverished, sell himself to him or to any of his race. 48. After the sale, he may be redeemed. He that will of his brethren may redeem him." The following verses show the power the servant had of redeeming himself, by paying at the rate of the hire of a servant, in the ratio of the time to the jubilee. And an injunction was given not to permit the stranger to treat him with cruelty; at all events, he was to be free in the year of the jubilee.

7. Provision was made for fugitive slaves under peculiar circumstances. (Deuteronomy xxiii. 15, 16.)

8. Hebrew parents were permitted, under certain circumstances, to sell their children to their own brethren. Special provisions are made for the treatment of young females thus sold. Exodus xxi. 7: She was to be treated differently from a bondwoman. 8. The buyer could sell her, but not to a foreigner. 9. If his son marries her, she shall be treated as his daughter. 10. If she be set aside for another wife, she must be fully provided for. 11. Should there be a neglect of any of these conditions, she became free.

9. The Hebrews were allowed to have foreigners and their descendants in perpetual slavery. Leviticus xxv. 44: "Let your bondmen and bondwomen be of the nations that are round about you. 45. And of the strangers that sojourn among you, or those that were born of them in your land, these you shall have for servants."

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49: "And by right of inheritance, shall leave them to your posterity, and shall possess them for ever."

10. Where slavery did not exist, there could not be the crime which is made capital in Exodus xxi. 16: "He that shall steal a man and sell him, being convicted of the guilt, shall be put to death;" and in Deut. xiv. 7: "If any man be found soliciting his brother of the children of Israel, and selling him, shall take a price, he shall be put to death, and thou shalt take away the evil from the midst of thee."

11. The excesses of masters in the punishment of slaves were provided against by the law in Exodus xxi. 20 and 21: "He that striketh his bondman or bondwoman with a rod, and they die under his hands, shall be guilty of the crime. But if the party remain alive a day or two, he shall not be subject to the punishment, because it is his money." And again in v. 26 and 27: "If any man strike the eye of his man-servant or maid-servant, and leave them but one eye, he shall let them go free for the eye which he put out. Also, if he strike a tooth out of his man-servant or his maid-servant, he shall in like manner make them free."

12. Compensation was provided for the masters whose slaves had been injured. (Exodus xxi.) Of a wicked ox that was known to be dangerous, 52: "If he assault a bondsman or bondswoman, *the owner of the ox* shall give thirty sicles of silver (the usual price of an ordinary slave) to their master, and the ox shall be stoned."

13. In the precepts relating to the observance of religious ceremonies, as well as respecting the sabbath, the eternal Lawgiver draws the distinction between the free and the slave, Deut. xii. 11: "In the place which the Lord your God shall choose, that his name may be therein. Thither shall you bring all the things that I command you, holocausts, and victims, and tithes, and the first fruits of your hands, and whatsoever is the choicest in the gifts which you shall vow to the Lord. 12. There shall you feast before the Lord your God, you, and your sons and daughters, your men-servants and your maid-servants, and the Levite that dwelleth in your cities." The same distinction is repeated in v. 18, and in Deut. xxi. 11, 14.

I may now enumerate several titles of dominion plainly expressed, or manifestly adverted to in this code emanating from God himself.

1. A man disposes of his own liberty. (Exodus xxi. 5; Levit. xxv. 39; Deut. xv. 15.) I am aware that Judge Blackstone and Montesquieu appear to contend against the right of any man to sacrifice his liberty. It is by assuming the existence of a parallelism which does not exist, viz.: that liberty is an equal good with life, and because man has not the power of disposing of the latter, he has, therefore, no power to dispose of the former.

The divine legislation of the Hebrews is, however, quite decisive.

2. A person is born in servitude. (Exodus xxi. 4; Levit. xxv. 45, 46.)

3. Children sold by their parents. (Exodus xvi. 7; Isaiah l. 1.)

4. Thieves unable to make restitution and pay the penalty legally inflicted. (Exodus xxii. 3.)

5. We find that a creditor could also take his debtor or his children to serve for the redemption of the debt. (4 or 2 Kings, chapter iv.)

6. Purchase is recognised throughout as a good title to the services of one already enslaved.

7. Slaves were made in war. (Deut. xx. v. 14.)

Thus, sir, all the divines of the Roman Catholic Church acknowledge that they find, in the divine legislation for the Hebrew people, the recognition of slavery, and the enactment of provisions for its regulation.

It was not contrary to the law of nature, or else the God of nature could not have permitted its sanction in that code which he gave to his chosen people. It was not incompatible with the practice of pure and undefiled religion—because it was, at least, permitted by Him who is the great and sole object of the highest religious homage. It was, in many cases, rather a source of protection than of evil to its unfortunate subjects.

St. Augustin, as I before remarked, in my last, stated that slavery was a consequence of sin, (lib. xix. De civitate Dei. cap. 15.) Not that the sinful individual is always the slave, but that this evil was inflicted upon a sinful world, as were sickness, war, famine, &c., whereby it often happens that the less sinful are afflicted, that they may, by such chastisement, be turned more to the service of God, and brought to his enjoyment. He refers to the example of Daniel and his companions in the Babylonian captivity, whereby Israel was brought to repentance. And he shows, from the etymology of the name *Servus*, that, according to the law of nations at the time, the conqueror had at his disposal the lives of his captives, some of whom were *servati* or *servi*, that is, kept from destruc-

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tion, and their lives spared upon the condition of doing works of laborious drudgery for their masters.

In his chapter 16, he shows the distinction in bodily employment and labour between the son and the servant; but as regards the soul, each was equally under the master's care, and deserved a like protection. Hence, the masters were called *Patres Familias*, or "Fathers of the Household," to show that they should consult for the eternal welfare of their slaves as a father for that of his children. And he insists upon the right and obligation of the master to restrain his slaves from vice, to preserve due discipline, to govern with firmness and yet with affection. And not only by verbal correction, but if, unfortunately, it should be requisite, with moderate, corporeal chastisement; not merely for the punishment of delinquency, but also for a salutary monition to others. He proceeds still farther to show that it is a public duty, because the peace of a vicinage depends upon the good order of its families; and the safety of a state depends upon peace and discipline of all the vicinages within its precincts.

Thus he exhibits the principles that pervaded the code given by God himself to the Hebrew people.

I shall continue, sir, to treat the progress of legitimate slavery in its subsequent history.

I have the honour to be, sir,
Respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., October 13th, 1840.

LETTER IV.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—The divine sanction for the existence of slavery, and for the various titles by which property in slaves may be acquired, being shown, it would rest upon those who deny its religious legality to-day, to prove distinctly that this sanction had been withdrawn. Nor would it answer their purpose to plead that the political and civil code of Judea was not to be obligatory upon Christians, because we do not assert their obligation upon us; but we declare that they contained no sanction incompatible with the natural law, or the principles of sound morality; and they did contain the sanction of slavery, and of the titles of acquisition, which, we say, cannot therefore be immoral, unless they be incompatible with laws subsequently enacted. This enactment is to be proved by those who oppose us, and must be, at least, as plain as what we have exhibited.

The view which I have taken was confined to Judea,—because it was only there I could procure distinct and direct evidence of the divine sanction. Nor was this a privilege of that people, because we find it in existence previous to the formation of the Hebrew nation. Abimelec, the cotemporary of their great progenitor, gave slaves to Abraham; and as he could not convey a better title than existed in himself, if he did not lawfully own the slaves, Abraham could not lawfully accept them. Bathuel was not a Hebrew, and he had slaves, some of whom accompanied his daughter Rebecca. Laban was not a Hebrew, nor was Job. It was not then a privilege granted to the Hebrew people, nor to Abraham and his progeny, but it was a common right, and subject to the legislative regulation of nations.

Its existence was very extensive, if not universal,—and the regulations concerning it varied in the several states and nations. The exhibition of their difference would be an idle and useless display of references to the various codes and customs of the Gentile world. The number of slaves was very great. In Attica, at one period, when the citizens did not amount to thirty thousand, the slaves were four hundred thousand; this disparity in numbers was not, however, a fair representation of the world, nor even of Greece itself. The generally acknowledged titles, by the law of nations, were purchase, birth, legal conviction, or capture in just war.

It will be well to observe in this place, and the principle will be of essential importance in examining the apostolic letters of the Holy See, that war waged for that mere pretext of making slaves,—or under other pretexts, but for that purpose,—was always considered to be as notoriously piratical as would be incursions made for the purpose of obtaining any other booty; nay, in this case it was worse than any other kind of robbery. The stealing of freemen and selling them into slavery, or invading a people for the purpose of reducing them to slavery, were considered great crimes; the individuals who were thus guilty, were, in almost every place, liable to capital punishment; and if a nation committed the crime, it was considered to have lost its rank of civilization. The capture should have been made in war properly waged, and carried on according to the usage of civilized nations; and in most cases the

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captive could, if he had property, redeem himself, or be ransomed by his friends, and thus saved from slavery.

Any person conversant with the history of the Gentile nations previous to the Christian epoch, will immediately perceive the striking contrast between the comparatively happy situation of the slaves of the Hebrews, and the oppression under which those of the most polished amongst the other nations laboured. Yet the writings of some of these latter servants form no inconsiderable share of our classical collections.

I shall then pass over any view of the slave system of the Gentiles farther than to remark, that at the period when the Saviour came, it was exceedingly oppressive; and that, in many instances, the master could put his slave to death without the interference of any legal tribunals, and that the instances of its infliction were by no means rare. I shall not stop to inquire into the validity of the claim to the exercise of this power, nor into the moral criminality of those who use it.

I proceed to examine what the divine legislator of Christianity has done upon this subject.

He made no special law, either to repeal or to modify the former and still subsisting right; but he enforced principles that, by their necessary operation and gradual influence, produced an extensive amelioration. In the words of the apostolic letter of Pope Grégory XVI., "Verily, when the light of the Gospel first began to diffuse itself, those unfortunate men, who, by occasion of so many wars, had fallen into cruel servitude, felt their condition among Christians very much alleviated. Inspired, indeed, by the divine Spirit, the Apostles taught servants to render obedience to their masters in the flesh, as unto Christ, and to do the will of God with a cheerful mind; yet they commanded also unto masters that they should use their servants kindly, that they should render unto them what is just and right, and that they should not employ threats, remembering that the God of both is in heaven, and that with him there is no respect of persons."

Bergier says, *Dict. Theol. Art. Esclavage, III.*, "When our Lord Jesus Christ appeared upon earth, the rights of humanity were not better known than they were in the time of Moses. The philosophers, in place of rendering them more clear, had made them more obscure. The Greeks had decided that amongst men some nations were born for liberty and others for slavery; that everything was lawful against barbarians, that is, against every one that was not a Greek. In the state of Athens alone, there were four hundred thousand *slaves* for twenty thousand citizens. In Rome the condition of slaves was not better than that of beasts of burden. One shudders at reading the treatment of those unfortunates. (See *Memoirs of the Academy of Inscriptions*, tom. 63, in 12mo., p. 102.) Such was the common law of all nations in the ages of philosophy. If Jesus Christ had by his laws attacked, face to face, this assumed right, he would have given weight to the opposition of the emperors and other sovereigns to the promulgation of the Gospel; and our philosophers of the present day would have accused him for having assailed the public law of all nations."

"The divine legislator did better; he disposed the minds of people, by his maxims of charity, of meekness, of fraternal love between men, to perceive that slavery, in its then character, was getting into opposition to the natural law. It may be perceived by the letter of St. Paul to Philemon, what was the teaching of the Gospel morality on this essential point, and how eloquent was the language of humanity proceeding from the lips of Christian charity. The baptized slave became of right the brother of his master."

The right which Bergier in this place alludes to, as his entire article shows, was not a civil, but a religious right, the right of brotherhood in Christ Jesus, as redeemed by him, and an heir to the same glorious inheritance, as the Apostle St. Paul describes it in his epistle to the Galatians, chap. vii. 26: "For you are all children of God, by faith in Christ Jesus. 27. For as many of you as have been baptized in Christ, have put on Christ. 28. There is neither Jew nor Greek; there is neither bond nor free; there is neither male nor female. For you are all one in Christ Jesus. 29. And if you be Christ's, then you are the seed of Abraham; heirs according to the promise."

In the New Testament we find instances of pious and good men having slaves, and in no case do we find the Saviour imputing it to them as a crime, or requiring their servants' emancipation. In chap. viii. of St. Matthew, we read of a centurion, who, addressing the Lord Jesus, said, v. 9, "For I also am a man under authority, having soldiers under me; and I say to this man, Go, and he goeth: and to another, Come, and he cometh: and to my servant, Do this, and he doth it. 10. And Jesus hearing this, wondered, and said to those that followed him, Amen, I say to you, I have not found so great faith in Israel." * * 13. "And Jesus said to the centurion, Go, and as thou

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hast believed, so be it done to thee. And the servant was healed at the same hour." St. Luke, in ch. vii., relates also the testimony which the ancients of Israel gave of this stranger's virtue, and how he loved their nation, and built a synagogue for them.

In many of his parables, the Saviour describes the master and his servants in a variety of ways, without any condemnation or censure of slavery. In Luke xvii. he describes the usual mode of acting towards slaves as the very basis upon which he teaches one of the most useful lessons of Christian virtue. V. 7. "But which of you, having a servant ploughing or feeding cattle, will say to him, when he is come from the field, immediately, Go sit down. 8. And will not rather say to him, Make ready my supper, and gird thyself, and serve me while I eat and drink, and afterwards thou shalt eat and drink? 9. Doth he thank that servant because he did the things that were commanded him? 10. I think not. So you also, when you shall have done all the things that are commanded you, say, We are unprofitable servants, we have done that which we ought to do."

After the promulgation of the Christian religion by the Apostles, the slave was not told by them that he was in a state of unchristian durance. 1 Cor. vii. 20: "Let every man abide in the same calling in which he was called. 21. Art thou called, being a bondman? Care not for it; but if thou mayest be made free, use it rather. 22. For he that is called in the Lord, being a bondman, is the freeman of the Lord. Likewise he that is called, being free, is the bondman of Christ. 23. You are bought with a price, be not made the bondslaves of men. 24. Brethren, let every man, wherein he was called, therein abide with God." Thus a man by becoming a Christian was not either made free nor told that he was free, but he was advised, if he could lawfully procure his freedom, to prefer it to slavery. The 23d verse has exactly that meaning, which we find expressed also in chap. vi. 20: "For you are bought with a great price; glorify and bear God in your body, which is addressed to the free as well as to the slave: all are the servants of God, and should not be drawn from his service by the devices of men, but should walk worthy of the vocation in which they are called." Eph. iv. 1, and the price by which their souls (not their bodies) were redeemed, is also described by St. Peter, 1, c. i. 10: "Knowing that you were not redeemed with corruptible gold or silver from your vain conversation of the tradition of your fathers." 19. "But with the precious blood of Christ, as of a lamb unspotted and undefiled."—That it was a spiritual redemption and a spiritual service, St. Paul again shows, Heb. ix. 14. "How much more shall the blood of Christ, who through the Holy Ghost offered himself without spot to God, cleanse our conscience from dead works to serve the living God?" It is then a spiritual equality, as was before remarked, in the words of St. Paul, 1 Cor. xii. 13: "For in one spirit we are baptized into one body, whether Jews or Gentiles, whether bond or free." And in the same chapter he expatiates to show that though all members of the one mystical body, their places, their duties, their gifts are various and different. And in his epistle to the Galatians, chap. iv., he exhibits the great truth which he desires to inculcate by an illustration taken from the institutions of slavery, and without a single expression of their censure.

Nor did the Apostles consider the Christian master obliged to liberate his Christian servant. St. Paul, in his epistle to Philemon, acknowledges the right of the master to the services of his slave, for whom, however, he asks, as a special favour, pardon for having deserted his owner. 10. "I beseech thee for my son Onesimus, whom I have begotten in my chains. 11. Who was heretofore unprofitable to thee, but now profitable both to thee and to me. 12. Whom I have sent back to thee. And do thou receive him as my own bowels." Thus, a runaway slave still belonged to his master, and though having become a Christian, so far from being thereby liberated from service, he was bound to return thereto and submit himself to his owner. In the same manner that St. Paul sent Onesimus, did the angel send Agar. Gen. xvi. 6: "And when Sarai afflicted her, she ran away. 7. And the angel of the Lord having found her by a fountain of water in the wilderness, which is in the way to Hur in the desert. 8. He said to her: Agar, handmaid of Sarai, whence comest thou? and whither goest thou? And she answered: I flee from the face of Sarai, my mistress. 9. And the angel of the Lord said to her: Return to thy mistress, and humble thyself under her hand."

St. Paul, indeed, in v. 8, says, "Though I might have much confidence in Christ Jesus to command thee that which is to the purpose." It was the command of friendship, and upon the plea of gratitude, as he exhibits in v. 19: "Not to say to thee that thou owest me thy own self also," because of the conversion and instruction of Philemon by the Apostle,—and the friendship is exhibited in v. 22: "But withal prepare me also a lodging:

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for I hope through your prayers I shall be given unto you." Still the Apostle felt that even notwithstanding all those grounds, the right of Philemon subsisted unimpaired. 13. "Whom I would have detained with me, that he might have ministered to me in the bonds of the Gospel. 14. But without thy counsel I would do nothing, that thy good deed might not be as it were of necessity, but voluntary."—It is true that in v. 16 the Apostle requests his manumission, but in v. 18 he exhibits his readiness to pay his ransom, if required. "And if he hath wronged thee in anything, or is in thy debt, put it to my account." And he makes himself legally responsible. 19. "I, Paul, have written with my own hand, I will repay it." Philemon acceded to the request of St. Paul, forgave Onesimus, and sent him to Rome to serve the Apostle, from whom he received his freedom, and was one of the bearers of the letter to the Colossians. (Col. iv. 9.)

Again, it is manifest from the Epistle of St. Paul to Timothy, that the title of the master continued good to his slave, though both should be Christians, c. vii.: "Whosoever are servants under the yoke, let them count their masters worthy of all honour, lest the name and doctrine of the Lord be blasphemed. 2. But they who have believing masters, let them not despise them because they are brethren, but serve them the rather, because they are faithful and beloved, who are partakers of the benefit. These things exhort and teach." And in the subsequent part he declares the contrary teaching to be against the sound words of Jesus Christ, and to spring from ignorant pride.

Slaves are still farther urged by the Apostle to due obedience, in his epistle to the Ephesians, vi. 5: "Servants, obey your carnal masters with fear and trembling, in the simplicity of your heart, as Christ. 6. Not serving to the eye, as it were pleasing men, but as the servants of Christ, doing the will of God from the heart. 7. With a good will doing service to the Lord, and not to men. 8. Knowing that whatsoever good every one shall do, the same shall he receive from the Lord, whether he be bond or free." And again, in his epistle to the Colossians, ch. iii. 22. "Servants, obey in all things your masters, according to the flesh, not serving with the eye, as pleasing men, but in simplicity of heart, fearing God. 22. Whatever you do, do it from the heart, as to the Lord, and not to men. 24. Knowing that you shall receive of the Lord the reward of inheritance. Serve ye the Lord Jesus Christ. 25. For he that doth an injury, shall receive for that which he hath done unjustly, and there is no respect of persons with God."

The Apostle St. Peter, quite aware of the great temptation to impatience and obstinacy which the misconduct of the master, not seldom, threw in the way of the servant, enters at considerable length and urges the most powerful motives to the Christian slave to induce him by the example and grace of the Saviour, to be patient. 1 Peter ii. 18: "Servants, be subject to your masters with all fear, not only to the good and gentle, but also to the froward. 19. For this is thankworthy, if for conscience towards God, a man endure sorrows, suffering wrongfully. 20. For what glory is it, if sinning and being buffetted you suffer it? But if doing well you suffer patiently, this is thankworthy before God. 21. For unto this you have been called; because Christ also suffered for us, leaving you an example that you should follow his steps. 22. Who did no sin, neither was guile found in his mouth. 23. Who when he was reviled did not revile; when he suffered, he threatened not: but delivered himself to him that judged him unjustly. 24. Who himself bore our sins in his own body upon the tree: that we, being dead to sins, should live to justice; by whose stripes you were healed. 25. For you were as sheep going astray; but you are now converted to the pastor and bishop of your souls."

Erasmus says that Cicero never wrote with greater eloquence than did St. Paul in the epistle to Philemon:—And we may both add, that never was there a more touching appeal to worried servants than this address of the prince of the Apostles. Thus each apostle besought one class, recommending mercy and kindness to the master; obedience, fidelity and affection to the slave.

It will now fully establish what will be necessary to perfect the view which I desire to give, if I can show that masters who were Christians were not required to emancipate their slaves, but had pointed out the duties which they were bound as masters to perform, because this will show under the Christian dispensation the legal, moral, and religious existence of slave and master.

The apostle, as we have previously seen, (1 Tim. vi. 2,) wrote of slaves who had believing or Christian masters. The inspired penman did not address his instructions and exhortations to masters who were not of the household of the faith. 1 Cor. v. 12: "For what have I to do, to judge them that are without? 13. For them that are without, God will judge; take away the evil one from amongst yourselves." Thus when he addresses masters, they are Christian masters. Ephes. vi.

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9: "And you, masters, do the same things to them (servants), forbearing threatenings, knowing that the Lord both of them and you is in heaven: and there is no respect of persons with him,"—and again, Colos. iv. 1: "Masters, do to your servants that which is just and equal: knowing that you also have a master in heaven."

We have then in the teaching of the Apostles nothing which contradicts the law of Moses, but we have much which corrects the cruelty of the pagan practice. The exhibition which is presented to us is one of a cheering and of an elevated character. It is true that the state of slavery is continued under the legal sanction, but the slave is taught from the most powerful motives to be faithful, patient, obedient and contented, and the master is taught that though despotism may pass unpunished on earth it will be examined into at the bar of heaven: and though the slave owes him bodily service, yet that the soul of this drudge, having been purchased at the same price as his own, and sanctified by the same laver of regeneration, he who is his slave according to the flesh, is his brother according to the spirit. His humanity, his charity, his affection, are enlisted and interested, and he feels that his own father is also the father of his slave; hence though the servant must readily and cheerfully pay him homage and perform his behest on earth, yet, they may be on an equality in heaven.

How striking, sir, is the contrast between the slave under paganism and the slave under Christianity? The one dreads only him who can kill the body and then has no more power; the other fears him who having slain the body, can cast both body and soul into hell-fire.

The fear of the Lord becomes the safeguard of society, the shield of the owner, and the support of the owned. The example of the Saviour is the best monition to him who governs to do so with tenderness, affection, and charity, blended with wholesome discipline and necessary restraint; whilst to the governed it is the most impressive lesson of resignation to the divine will, the most effectual exhortation to patient obedience, and the best direction to the attainment of lasting peace and high happiness.

The unfortunate pagan saw no prospect beyond the grave of a recompense for humility, for submission, and for obedience. Nor did his master understand the value of a soul, the nature of beatitude, or the merit of mercy: he saw a stern despotism, reckless ambition, and proud and unfeeling oppression deified, and in the treatment of his slaves he emulated his gods; whilst his unfortunate servant crouched before a tyrant whom he hated, and desired the ruin of one from whom he received little kindness.

To the Christian slave was exhibited the humiliation of an incarnate God, the suffering of an unoffending victim, the invitation of this model of perfection to that meekness, that humility, that peaceful spirit, that charity and forgiveness of injuries which constitute the glorious beatitudes. He was shown the advantage of suffering, the reward of patience, and the narrow road along whose rugged ascents he was to bear the cross, walking in the footsteps of his Saviour. The curtains which divide both worlds were raised as he advanced, and he beheld Lazarus in the bosom of Abraham, whilst the rich man vainly cried to have this once miserable beggar allowed to dip the tip of his finger in water and touch it to his tongue, for he was tormented in that flame.

Thus, sir, did the legislator of Christianity, whilst he admitted the legality of slavery, render the master merciful, and the slave faithful, obedient, and religious, looking for his freedom in that region, where alone true and lasting enjoyment can be found.

I shall proceed, sir, to select a few of the many evidences which the intermediate ages furnish to show the continued legality of domestic slavery, and to exhibit its perfect compatibility with the sound principles of the Christian moral code,—adducing the evidence from the records of that church over which Pope Gregory XVI. so happily presides, and thus conclusively showing that in his apostolic letter he does not condemn it as immoral or illegal; because the Pope is the divinely constituted and authorized witness of the doctrine and morality of the unchanging church, and not a despot who can alter that teaching at his mere will; whilst the church herself claims no power either to add to the deposit of faith, or to change the principles of that morality for whose promulgation she is divinely commissioned.

I have the honour to be, sir,
Respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., October 21, 1840.

LETTER V.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I have shown that the Saviour did not repeal the permission to hold slaves; but that he promulgated principles calculated to improve their condition, and per-

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haps, in the process of time, to extinguish slavery. I now proceed to show, from a variety of ecclesiastical documents, that the church which he commissioned to teach all nations, all days to the end of the world, has at all times considered the existence of slaves as compatible with religious profession and practice. Indeed, I might at once conclude, by the general exhibition of the existence of slavery in the midst of Christianity, and the recognition of the right of the Christian master to hold this species of property; but, sir, this is a topic of so much growing importance, that I prefer entering into some detail to establish the evidence more perfectly by such an exhibition as will remove the last shades of doubt.

I am more perplexed at the difficulty of selecting from the mass that lies before me, than I should be in transcribing at length the immense accumulation itself. I shall then show the canonical legislation of that church during a series of ages, in every region, predicated upon the legal and correctly moral existence of the relation of master and slave.

We have seen already in my fourth letter, that in the canonical epistles of St. Peter and of St. Paul, this relation was recognised and regulated by religious provisions.

The Apostles held several councils, whose acts are not fully recorded in the relation made by St. Luke, generally known as "Acts of the Apostles." And a very ancient compilation under the title of "Canons of the Apostles," has been known in the church, and if not the authentic record of their enactments, is admitted to be in conformity with the earliest Christian practice. Amongst these the Canon lxxxi. is the following:

"Servos in clerum provehi sine voluntate dominorum, non permittimus, ad eorum qui possident molestiam, domorum enim eversionem talia efficiunt. Siquando autem, etiam dignus servus visus sit, qui ad gradum eligatur, qualis noster quoque Onesimus visus est, et domini concesserint ac liberaverint, et œdibus emiserint, fiat."

"We do not permit slaves to be raised to clerical rank without the will of their masters, to the injury of their owners. For such conduct produces the upturning of houses. But if, at any time, even a slave may be seen worthy to be raised to that degree, as even our Onesimus was, and the masters shall have granted and given freedom, and have sent them forth from their houses, let it be done."

This is the first of a series of similar enactments, and it should be observed that it recognises the principle of the perfect dominion of the master, the injury to his property, and requires [that] the very legal formality by which the slave was liberated and fully emancipated (sending him forth from the house) should be observed.

The slave had the title, without his owner's consent, to the common rights of religion and the necessary sacraments. In using these no injury was done to the property of his owner; but he had no claim to those privileges of religion by acquiring which a certain rank would be obtained, which would diminish his value to the owner, or would degrade the dignity conferred, and which would impose duties that could not be performed without occupying that time upon which his owner had a claim.

There are eight other books of a remote antiquity, known as "The Constitutions ascribed to the Apostles," said to be compiled by Pope Clement I., who was a companion of the Apostles. It is, however, generally believed that, though Pope Clement might have commenced such a compilation, he did not leave it in the form which it holds to-day; but, like the Canons of the Apostles, the exhibition of discipline is that of the earliest days.

In book iv. ch. 5, enumerating those whose offerings were to be refused by the bishops as unworthy, we have amongst thieves and other sinners.

"(Qui) famulos suos dure accipiunt et tractant; id est, verberibus, aut fame afficiunt, aut crudeli servitute premunt."

"They who receive and treat their slaves harshly; that is, who whip or famish them, or oppress them with heavy drudgery."

There is no crime in having the slave, but cruelty and oppression are criminal.

In the same book, ch. 11, regards slaves and masters.

"De famulis quid amplius dicamus, quam quod servus habeat benevolentiam erga dominum cum timore Dei, quamvis sit impius, quamvis sit improbus, non tamen cum eo religione consentiat. Item dominus servum diligat, et quamvis præstet ei, judicet tamen esse æqualitatem, vel quatenus homo est. Qui autem habet dominum Christianum, salvo dominatu, diligat eum, tum ut dominum, tum ut fidei consortem et ut patrem, non sicut servus ad oculum serviens, sed sicut dominum amans, ut qui sciat mercedem famulatûs sui a Deo sibi solvendam esse. Similiter dominus, qui Christianum famulum habet, salvo famulatu, diligat eum tanquam filium, et tanquam fratrem propter fidei communionem."

"What farther, then, can we say of slaves, than that the servant should have benevolence towards his master, with the

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fear of God, though he should be impious, though wicked, though he should not even agree with him in religion. In like manner, let the master love his slave, and though he is above him, let him judge him to be his equal at least as a human being. But let him who has a Christian master, having regard to his dominion, love him both as a master, as a companion in the faith and as a father, not as an eye-servant, but loving his master as one who knows that he will receive the reward of his service to be paid by God. So let the master who has a Christian slave, saving the service, love him as a son and as a brother, on account of the communion of faith."

"Ne amaro animo jubeas famulo tuo aut ancillæ eidem Deo confidentibus; ne aliquando gemant adversus te, et irascatur tibi Deus. Et vos servi dominis vestris tanquam Deum repræsentantibus subditi estote cum sedulitate et metu, *tanquam Domino, et non tanquam hominibus.*"

"Do not command your man-servant nor your woman-servant, having confidence in the same God, in the bitterness of your soul; lest they at any time lament against you, and God be angry with you. And you servants, be subject to your masters, the representatives of God, with care and fear. *As to the Lord and not to men.*"

In the eighth book, ch. 33, is a constitution of SS. Peter and Paul respecting the days that slaves were to be employed in labour, and those on which they were to rest and to attend to religious duties.

Pope Stephen I., who was the 23d Supreme Pontiff, became head of the church in the year 253, and endeavoured, to the best of his ability, to preserve discipline, and, in some letters, to set forth regulations as well as to remedy [various] evils. In Ep. ii., regula iv.

"Accusatores vero et accusationes, quas sæculi leges non recipiunt, et antecessores nostri prohibuerunt, et nos submovemus."

"We also reject those accusers and charges which the secular laws do not receive, and which our predecessors have prohibited."

Soon after he specifies:

"Accusator autem vestrorum nullus sit servus aut libertus."

"Let not your accuser be a slave or a freed person."

Thus, as well in the ancient discipline of the church during the first two centuries, as in the secular tribunals, the testimony of slaves was inadmissible in many cases.

In the year 305, a provincial council was held at Elvira, in the southern part of Spain. The fifth canon of which is the following:

"Si qua domina furore zeli accensa flagris verberaverit ancillam suam, ita ut in tertium diem animam cum cruciatu effundat: eo quod incertum sit, voluntate, an casu occiderit, si voluntate post septem annos; si casu, post quinquennii tempora; acta legitima pænitentia, ad communionem placuit admitti. Quod si infra tempora constituta fuerit infirmata, accipiat communionem."

"If any mistress, carried away by great anger, shall have whipped her maid-servant so that she shall within three days die in torture, as it is uncertain whether it may happen by reason of her will or by accident, it is decreed that she may be admitted to communion, having done lawful penance, after seven years, if it happened by her will; if by accident, after five years. But should she get sick within the time prescribed, she may get communion."

We can perceive by this canon that the Spanish ladies, at that period, which was twenty years before the celebration of the Council of Nice, had not yet so far yielded to the benign influence of the Gospel, and so far restrained their violence of temper as to show due mercy to their female slaves. I doubt much whether the enactment of such a law in our Southern States would not call forth against the legislators more indignation from our ladies than they have ever exhibited against their waiting maids.

The canon lxxx. of the same council, regarded the prohibition of ordaining emancipated slaves or freedmen unless their guardians were the clergy or the church.

It may, perhaps, be as well to observe, in this place, a beneficial change which had taken place, not only in public opinion, but even in the court, by reason of the influence of the humanizing spirit of Christianity; so that even the pagan more than once reproved, by his mercy, the professor of a better faith who followed a worse practice.

Theodoret (l. 9, de Græc. cur. aff.) informs us that Plato established the moral and legal innocence of the master who slew his slave. Ulpian, the celebrated Roman jurist, (l. 2, de his quæ sunt sui vel alieni jur.) testifies the power which—probably in imitation of the Greeks—the Roman masters had over the lives of their slaves. The well-known sentence of Pollio upon the unfortunate slave that broke a crystal vase at supper,—that he should be cast as food to fish,—and the interference of Augustus, who was a guest at that supper, give a strong exemplification of the tyranny then in many instances indulged. Seneca relates the anecdote in his work de Clement.

Antoninus Pius, as Ulpian relates, issued a constitution about the year 150, restraining

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this power, and forbidding a master to put his own slave to death, except in those cases where he would be permitted to slay the slave of another. He further states that the cruelty of the Spaniards to their slaves, especially in the province of Bœtica, in which the city of Elvira was, gave occasion to the constitution; and we have a rescript of Antoninus to Ælius Martianus, the proconsul of Bœtica, in the case of the slave of Julius Sabinus, a Spaniard. In this the right of the masters to their slaves is recognised, but the officer is directed to hear their complaints of cruelty, starvation, and oppressive labour; to protect them, and, if the complaints be founded in truth, not to allow their return to the master; and to insist on the observance of the constitution.

Caius (in l. 2, ad Cornel. de sicar.) states that the cause should be proved in presence of judges before the master could pronounce his sentence. Spartianus, the biographer, informs us that the Emperor Adrian, who was the immediate predecessor of Antoninus, enacted a law forbidding masters to kill their slaves, unless legally convicted. And Ulpian relates, near the end of the above quoted work, that Adrian placed, during five years, in confinement (relegatio) Umbricia, a lady of noble rank, because, for very slight causes, she treated her female slaves most cruelly. But Constantine the Great, about the year 320, enacted that no master should, under penalty due to homicide, put his slave to death, and gave the jurisdiction to the judges; but if the slave died casually, after necessary chastisement, the master was not accountable to any legal tribunal. (Const. in l. i.; C. Theod. de emendat, servorum.)

It will thus be perceived that, as Christianity made progress, the unnatural severity with which this class of human beings was treated became relaxed, and as the civil law ameliorated their condition, the canon law, by its spiritual efficacy, came in with the aid of religion to secure that the followers of the Saviour should give full force to the merciful provisions that were introduced.

It will also be seen that the principle which St. Augustine laid down was that observed, viz., The state was to enact the laws regulating this species of property; the church was to plead for morality and to exhort to practise mercy.

About the same time, St. Peter, Archbishop of Alexandria, in Egypt, drew up a number of penitential canons, pointing out the manner of receiving, treating and reconciling the "lapsed," or those who, through fear of persecution, fell from the profession of the faith. Those canons were held in high repute, and were generally adopted by the eastern bishops. St. Peter succeeded Theonas in that see, in the year 300, and was beheaded by order of the Emperor Maximus, in 311. He ordained Arius deacon, but subsequently excommunicated him for his pride and his obstinacy.

The sixth of those canons exhibits to us a curious device of weak Christians, who desired to escape the trials of martyrdom, without being guilty of actual apostacy. A person of this sort procured, that one of his slaves should personate him, and in his name should apostatize. The canon prescribes for such a slave, who necessarily was a Christian and a slave of a Christian, but one-third of the time required of a free person, in a mitigated penance, taking into account the influence of fear of the master, which, though it did not excuse, yet, it diminished the guilt of the apostacy.

The General Council of Nice, in Bithynia, was held in the year 325, when Constantine was emperor. In the first canon of this council, according to the usual Greek and Latin copies, there is a provision for admitting slaves as well as free persons who have been injured by others, to holy orders. In the Arabic copy, the condition is specially expressed, which is not found in the Greek or Latin, but which had been previously well known and universally established, viz., that this should not take place unless the slave had been manumitted by his master.

About this period, also, several of the Gnostic and Manichean errors prevailed extensively in Asia Minor. The fanatics denied the lawfulness of marriage; they forbid meat to be eaten; they condemned the use of wine; they praised extravagantly the monastic institutions, and proclaimed the *obligation on all* to enter into religious societies; they decried the lawfulness of slavery; they denounced the slaveholders as violating equally the laws of nature and of religion; they offered to aid slaves to desert their owners; gave them exhortations, invitations, asylum, and protection; and in all things assumed to be more holy, more perfect, and more spiritual than other men.

Osius, Bishop of Cordova, in Spain, whom Pope Sylvester sent as his legate into the East, and who presided in the Council of Nice, was probably present, when, about the period of the Nicene Council, several bishops assembled in the city of Gangræ, in Paphlagonia, to correct those errors. Pope Symmachus declared in a council held in Rome, about the year 500, that Osius confirmed by the authority of the Pope, the

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acts of this council. The decrees have been admitted into the body of canon law, and have always been regarded as a rule of conduct in the Catholic Church. The third canon is as follows:

"Si quis docet servum, pietatis prætextu, dominum contemnere, et a ministerio, recedere, et non cum benevolentia et omni honore domino suo inservire. Anathema sit."

"If any one, under the pretence of piety, teaches a slave to despise his master, and to withdraw from his service, and not to serve his master with good will and all respect. Let him be Anathema."

This last phrase, *Let him be Anathema*, is never appended to any decree which does not contain the expression of unchangeable doctrine respecting belief or morality, and indicates that the doctrine has been revealed by God. It is precisely what St. Paul says in Galat. i. 8. "But though we, or an angel from Heaven, preach a gospel to you beside that which we have preached to you, let him be Anathema. 9. As we said before to you, so I say now again: If any man preach to you a gospel besides that which you have received; let him be Anathema." It is therefore manifest, that although this Council of Gangræ was a particular one, yet the universal reception of this third canon with its anathema, and its recognition in the Roman Council by Pope Symmachus, gives it the greatest authority, and in Labbe it is further entitled as approved by Leo IV., about the year 850, *dist.* 20, *C. de libell.*

Several councils were held in Africa, in the third and fourth centuries, especially, in Carthage, in Milevi, and in Hippo. About the year 422, which was the first of Pope Celestine I., one was held under Aurelius, Archbishop of Carthage, and in which St. Augustine sat, as Bishop of Hippo, and legate of Numidia. A compilation was made of the canons of this and the preceding ones which I have mentioned, and this was styled the "African Council." The canon cxvi. of this collection, which has also been taken into the body of the canon law, decrees that slaves shall not be admitted as prosecutors, nor shall certain freedmen be so admitted, except to complain for themselves, and for this as well as for the incapacity of several others there described, the public law is cited as well as the 7th and 8th Councils of Carthage.

The great St. Basil, Archbishop of Cæsarea, in Cappadocia, was born in 329, and died in 379. Amongst his works are his letters, called "Canonical," as they contain a great number of those which were the rules of discipline not only for Asia Minor, but for the vast regions in its vicinity. Mentioning marriages, and writing of several cases in which they are lawful or unlawful, valid or invalid, the fortieth canon regards the marriages of female slaves. In this he mentions a discipline which was not general, but was peculiar to the northeastern provinces of the church, requiring the consent of the master to the validity of the marriage contract of a female slave; this was not required in other places, as is abundantly testified by several documents.

The forty-second canon treats in like manner of the marriages of children without their parents' consent, and generally of those of all slaves without the consent of the owner.

The fifty-third canon regards a female slave who has become a widow.

I shall conclude for this day, but shall follow up the documentary evidence for the legality of holding slaves.

I have the honour to be, sir,
Respectfully, &c.
† JOHN, *Bishop of Charleston.*

Charleston, S. C., October 28, 1840.

LETTER VI.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—In my last, I examined the canonical regulations respecting slavery during the four first centuries of Christianity: during the latter of these, the Christians had the government of the civilized world. At this period the barbarous hordes began to pour extensively their desolating masses over the regions in which Arianism was contending with Catholicity. Had peace been granted immediately after the cessation of pagan persecution, and had the church been able to preserve her dominion over all or the greater number that professed the Christian name, it is probable that the mild spirit of religion would have not only improved the condition of the slaves, but would have dissolved the chains by which many of them were bound.

The Arian succeeded the pagan, and the Goths of various clans soon were found dismembering the ancient empire of the Romans. The Circumcellions of Africa had scarcely disappeared before the Visigoths, when the untamed Attila, with his wild Huns, sweeping along the Danube and the Rhine, carried desolation into Gaul, and disturbed the followers of Pharamond, and the Goths, who had lately established themselves in many of the strongholds of the ancient

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Gauls and more modern Romans. His career was arrested on the banks of the Rhone, as he was rushing towards the Mediterranean. Returning to Pannonia, he recruited his force, and directed his march towards Italy. Aquileia still exhibits, after fourteen centuries, as distinct a monument of the barbarity of the Huns, as Mount Benedict does, after six years, of the ruthless and unmanly bigotry of the Bostonians. History attests the extraordinary manner in which, flushed with victory and ambitious of spoils, he, at the monition and request of Pope St. Leo I., turned the tide of his host, and withdrew to his fastnesses beyond the Danube. The captives made on both sides in these desolating incursions, increased the number of slaves, which from other causes had been greatly reduced.

As early as the days of St. Polycarp and St. Ignatius, who were disciples of the Apostles, Christians had, from motives of mercy, charity, and affection, manumitted many of their slaves in the presence of the bishops, and this was more or less extensively practised through the succeeding period. In several particular churches, it was agreed that if a slave became a Christian, he should be manumitted on receiving baptism. In Rome, the slave was frequently manumitted by the form called *Vindicta*, with the prætor's rod. Constantine, in the year 317, as Sozomen relates, (lib. 1, c. 9,) transferred this authority to the bishops, who were empowered to use the rod in the church, and have the manumission testified in the presence of the congregation. A rescript of that emperor to this effect is found in the Theodosian code, *l.* 1, *c. de his qui in Eccl. manumitt.* The master, who consented to manumit the slave, presented him to the bishop, in presence of the congregation, and the bishop pronounced him free and became the guardian of his freedom. The rescript was directed to Protogenas, Bishop of Sardica, and was in the consulship of Sabinus and Ruffinus.

In book 2, of the same code, is a rescript to Osius, Bishop of Cordova, in which the emperor empowers the bishops to grant the privilege of Roman citizenship to such freedmen as they may judge worthy.

In the consulship of Crispus and Constantine, a grant was given to the clergy of manumitting their own slaves when they pleased, by any form they should think proper. About a century later, St. Augustine, Bishop of Hippo, informs us (*Sermo. de diversis*, 50) that this form was established in Africa. "The deacon of Hippo, is a poor man; he has nothing to give to any person; but, before he was a clergyman, he, by the fruit of his labour and industry, bought some little servants, and is to-day, by the episcopal act, about to manumit them in your sight."

This same holy bishop writes, (*Enarrat in Psal.* cxxiv.,) "Christ does not wish to make you proud whilst you walk in this journey, that is, whilst you are in this life. Has it happened that you have been made a Christian, and you have a man as your master: you have not been made a Christian that you may scorn to serve. When, therefore, by the command of Christ you are the servant of a man, your service is not to him, but to the one that gave you the command to serve. And he says: Hear your masters, according to the flesh, with fear and trembling, and in the simplicity of your hearts, not as eye-servants, as if pleasing men, but, as the servants of Christ, doing the will of God, from your hearts, with a good will. Behold, he did not liberate you from being servants, but he made those who were bad servants to be good servants. O, how much do the rich owe to Christ who has thus set order in their houses! So, if there be in his family a faithless slave, and Christ convert him, he does not say to him, "Leave your master, because you have now known him who is the true master! Perhaps this master of yours is impious and unjust, and that you are faithful and just, it is unbecoming that the just and faithful should serve the unjust and the infidel; this is not what he said; but, let him rather serve." This great Doctor of the Church continues then at considerable length to show how Christ, by his own example, exhorts the servants to fidelity and obedience to their masters in everything, save what is contrary to God's service. Subsequently, he passes to the end of time, and the opening of eternity, and shows many good, obedient and afflicted servants mingled with good masters among the elect, and bad, faithless, and stubborn servants, with cruel masters, cast among the reprobates.

In his book i., on the sermon of Christ on the mountain, he dwells upon the duty of Christian masters to their slaves. They are not to regard them as mere property, but to treat them as human beings having immortal souls, for which Christ died.

Thus, we perceive that though from the encouragement of manumission and the spirit of Christianity, the number of slaves had been greatly reduced and their situation greatly improved, still, the principles were recognised, of the moral and religious legality of holding slave property, and of requiring that they should perform a reasonable service.

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We have next to consider a canon enacted by that same Leo the Great, who caused "the scourge of God," Attila, to spare Italy. Indeed, it is rather the repressing of an abuse, by enforcing an ancient canon. It is found the first of five which he promulgated to the bishops of Campania and the Picene territory, in the year 445. The instances of voluntary slavery, such as that related of St. Paulinus of Nola, in Campania, were not very rare. It is related by St. Gregory, that having bestowed all that he could raise, to ransom prisoners taken by the barbarians who overran the country, upon the application of a poor widow whose son was held in captivity, he sold himself, to procure the means of her son's release. His good conduct procured the affection of his master, and subsequently his emancipation. Thus slavery lost some of its degrading character. This, together with the confusion arising from the turbulence accompanying the invasions, caused a relaxation of discipline: to remedy some of the abuses, Pope Leo issued several letters. The following is an extract from the first of them: it has been taken into the body of the canon law. *Dist.* 5, *Admittuntur*:—

"Admittuntur passim ad ordinem sacrum, quibus nulla natalium, nulla morum dignitas suffragatur: et qui a dominis suis libertatem consequi minime potuerunt, ad fastigium sacerdotii, tanquam servilis vilitas hunc honorem jure capiat, provehuntur; et probari Deo se posse creditur, qui domino suo necdum probare se potuit. Duplex itaque in hac parte reatus est, quod et sacrum mysterium (ministerium) talis consortii vilitate polluitur, et dominorum, quantum ad illicitæ usurpationis temeritatem pertinet, jura solvuntur. Ab his itaque, fratres carissimi, omnes provinciæ vestræ abstineant sacerdotes: et non tantum ab his, sed ab illis etiam, qui aut originali, aut alicui conditioni obligati sunt, volumus temperari: nisi forte eorum petitio aut voluntas accesserit, qui aliquid sibi in eos vendicant potestatis. Debet enim esse immunis ab aliis, qui divinæ militiæ fuerit aggregandus; ut a castris Dominicis, quibus nomen ejus adscribitur, nullis necessitatis vinculis abstrahatur."

"Persons who have not the qualifications of birth or conduct, are everywhere admitted to holy orders; and they who could not procure freedom from their masters are elevated to the rank of the priesthood; as if the lowliness of slavery could rightfully claim this honour: and, as if he who could not procure the approbation of even his master, could procure that of God. There is, therefore, in this a double criminality: for the holy ministry is polluted by the meanness of this fellowship, and so far as regards the rashness of this unlawful usurpation, the rights of the masters are infringed. Wherefore, dearest brethren, let all the priests of your province keep aloof from these: and not only from these, but also, we desire they should abstain from those who are under bond, by origin or any condition, except perchance upon the petition or consent of the persons who have them in their power in any way. For he who is to be aggregated to the divine warfare, ought to be exempt from other obligations: so that he may not by any bond of necessity be drawn away from that camp of the Lord for which his name has been enrolled."

Prosper, lib. 2, de vitâ contemplat. c. 3, and many other writers of this century, treat of the relative duties of the Christian master and his Christian slave. The zeal and charity of several holy men led them to make extraordinary sacrifices also, during this period, to redeem the captives from the barbarians: besides the remarkable instance of St. Paulinus, we have the ardent and persevering charity of St. Exuperius, Bishop of Toulouse, who sold the plate belonging to the church, and used glass for the chalice, that he might be able by every species of economy to procure liberty for the enslaved.

The right of the master, the duty of the slave, the lawfulness of continuing the relation, and the benevolence of religion, in mitigating the sufferings of those in bondage and releasing them by lawful means permitted by the state, are the results exhibited by our view of the laws and facts during the first four centuries of Christianity.

It is proper here also to notice, that amongst several of those barbarians, especially after they embraced the Christian religion, slavery began to assume a variety of mitigated forms, which will be in some degree developed as we proceed with the history of canonical legislation.

About the year 494, Pope Gelasius, issued a constitution, in which he mentions, amongst other monitions given to a bishop at his ordination: "Ne unquam ordinationes præsumat illicitas; ne * * * * * curæ aut cuilibet conditioni obnoxium, notatumque ad sacros ordines permittat accedere." "That he should never presume to hold unlawful ordination; that he should not allow to holy orders, * * * * * any person bound to the service of the court, or liable

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to bond from his condition (slavery) or marked thereto.

In the year 506, which was the 22d year of Alaric's reign, and the 8th of Pope Symmachus, a council was held at Agdle, in France, in the present department of Herault, which was then under the dominion of the Visigoths who had subjugated Spain, the sixty-second canon of which is the following:

"Si quis servum proprium sine conscientiâ judicis occiderit, excommunicatione, vel pœnitentiâ biennii reatum sanguinis emendabit."

"If any one shall put his own servant to death, without the knowledge of the judge, let him make compensation for the guilt of blood by excommunication or two years' penance."

Another council was held eleven years later, in the fourth year of Pope Hormisdas and the 6th of King Childibert, to whom Clovis had given a part of his territory after he had slain Alaric in battle. This council was held at Epao or Epanum, which was near the Rhone, it is supposed not far from lake Leman, near Geneva. At this period it was usual to hold ecclesiastical assemblies at a distance from the distraction of the cities, and removed from the influence of petty tyrants, generally in some large country residence. Many of the canons of this Synod of Epao are little more than transcripts of those of Agdle. The 34th, is—

"Si quis servum proprium sine conscientiâ judicis occiderit, excommunicatione biennii effusionem sanguinis expiabit."

"If any one shall slay his own servant without the knowledge of the judge, let him expiate the shedding of blood by an excommunication of two years."

Thus we find that at this period, nearly two hundred years after the law of Constantine forbidding this exercise of power by the master, the practice existed under the Goth, the Gauls and the Franks. Several authors however interpret these enactments as regarding manslaughter or unintentional slaying, because it is generally believed, that at all times the period was seven years for voluntary homicide.

Several councils were held in the city of Orleans, in the department of Loiret, in France. The third Council of Orleans was held in the year 538, the second of Pope Silverius, and 27th of Childebert, king of the Franks.

The thirteenth canon regulates, that if Christian slaves shall be possessed by Jews, and these latter require them to do anything forbidden by the Christian religion, or if the Jews shall seize upon any of their servants to whip or punish them for those things that have been declared to be excusable or forgiven, and those slaves fly to the church for protection, they are not to be given up, unless there be given and received a just and sufficient sum to warrant their protection.

The canon xxvi. gives us a specimen of the early feudalism nearly similar to the subsequent villain service.

"Ut nullus servilibus colonariisque conditionibus obligatus, juxta statuta sedis Apostolicæ, ad honores ecclesiasticos admittatur; nisi prius aut testamento, aut per tabulas legitime constiterit absolutum. Quod si quis episcoporum, ejus qui ordinatur conditionem sciens, transgredi per ordinationem inhibitam fortasse voluerit, anni spatio missas facere non præsumat."

"Let no one held under servile or colonizing conditions be admitted to church honours, in violation of the statutes of the Apostolic See; unless it be evident that he has been previously absolved therefrom by will or by deed. And if any bishop being aware of such condition of the person so ordained, shall wilfully transgress by making such unlawful ordination, let him not presume to celebrate mass for the space of a year."

The colonial condition was in its origin different from the mere servile. The *mancipium* or *manu captum* was the *servus* or slave made in war: the *colonus*, or husbandman, though at the period at which we are arrived, frequently he was in as abject a condition, yet was so by a different process. St. Augustine, in cap. i. lib. x., De Civitate Dei, tells us, "Coloni dicantur, qui conditionem debebant genitali solo propter agriculturam sub dominio possessorum." They are called *colonists who owe their condition to their native land, under the dominion of its possessors.*

The following history of various modes by which they became servants, is taken from the work De Gubernat. Dei. lib. 5, by the good and erudite Salvianus, a priest, who died at Marseilles, about the year 484.

"Nonnulli eorum de quibus loquimur, * * * * cum domicilia atque agellos suos pervasionibus perdunt, aut fatigati ab exactoribus deserunt, quia tenere non possunt, fundos majorum expetunt, et coloni divitum fiunt. Aut sicut solent hi qui hostium terrore compulsi, ad castella se conferunt, aut qui perdito ingenuæ incolumitatis statu ad asylum aliquod desperatione confugiunt: ita et isti qui habere amplius vel sedem vel dignitatem suorum natalium non queunt,

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jugo se inquilinæ abjectionis addicunt: in hanc necessitatem redacti, ut exactores non facultatis tantum, set etiam conditionis suæ, atque exulantes non a rebus tantum suis, sed etiam a seipsis, ac perdentes secum omnia sua, et rerum proprietate careant, et jus libertatis amittant. * * * * * Illud gravius et acerbius, quod additur huic malo servilius malum. Nam suscipiuntur advenæ, fiunt præjudicio habitationis indigenæ, et quos suscipiunt ut extraneos et alienos, incipiunt habere quasi proprios: quos esse constat ingenuos, vertunt in servos."

"Some of those when they lose their dwellings and their little fields by invasion, or leave them, being worried by exactions, as they can no longer hold them, seek the grounds of the larger proprietors, and become the colonists of the wealthy. Or, as is usual with those who are driven off by the fear of enemies, take refuge in the castles, or who, having lost their state of safe freedom fly to some asylum in despair: so they who can no longer have the place or the dignity derived from their birth, subject themselves to the abject yoke of the sojourner's lot; reduced to such necessity, that they are stripped not only of their property but also of their rank, going into exile not only from what belongs to them, but from their very selves, and with themselves losing all that they had, they are bereft of any property in things, and lose the very right of liberty. * * * A more degrading injury is added to this evil. For they are received as strangers, they become inhabitants bereft of the rights of inhabitants, they who receive them as foreigners and aliens begin to treat them as property, and change into slaves those who, evidently, were free."

We are not, sir, without a large host of our *Native American Society*, who enter very fully into the views of the hospitable proprietors whom Salvian describes.

In this picture of the colonist, we may find the outline of the villain of a later age; and in the several enactments and regulations of succeeding legislators and councils, we shall discover the changes which the features of servitude underwent, previous to its nearly total extinction in Europe.

Flodoardin, c. 28 of History of the Church of Rheims, gives us the will of St. Remi, its bishop, who baptized Clovis, upon his conversion in 496, and who was still living in the year 550. This document grants freedom to some of the colonists belonging to that church and retains others in service. Critics are divided in opinion as to the document being a correct copy; but it shows, at all events, that at this period the church did not consider it criminal to hold such property.

Du Cange says (Art. *Colonus*), that though in several instances the condition of the colonists was as abject as that of slaves, yet generally they were in a better position. Erant igitur coloni mediæ conditionis inter ingenuos seu liberos et servos.

Very urgent duties will prevent my resuming this historical exhibition for two or three weeks. Meantime, sir, I have the honour to be, respectfully, &c.

† JOHN, *Bishop of Charleston.*

Charleston, S. C., November 14th, 1840.

LETTER VII.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I have exhibited an outline of ecclesiastical legislation respecting slaves during more than five centuries of the early period of the Christian church. I remarked that a variety of circumstances gave new modifications to slavery, and I exhibited one or two instances, of that change in the class of colonists. It will be necessary for me, before proceeding farther, to remark at greater length upon the nature of that variety, in order to understand better the canons which in many instances are found in the subsequent enactments.

When so erudite an antiquarian as Muratori, treating of the Roman slaves and freedmen, acknowledges that he is unable accurately to state the conditions on which they manumitted their slaves, it would be folly for me to undertake the task. In his treatise "SOPRA I SERVIE, LIBERTI ANTICHI," he has a passage which I thus translate:

"We know not whether they manumitted upon condition, or, if so, upon what conditions they manumitted formerly those servants who continued thenceforth as freed persons, but elevated to more honourable employments, to serve in the houses of their masters. We do, indeed, know in the Tit. *de Operis Libertorum*, and in another *de bonis Libertorum* of the Digests, that very many acquired their liberty with the obligation of giving to their masters presents, or doing work if they were artists, *Operas vel donum*. This was in all likelihood practised only by merchants or other masters given to making profit, but not by noble houses. As to these the ancient inscriptions exhibit to us that very many who obtained their freedom, yet continued to live and to do service in those same houses, no longer as slaves but as freed persons, because probably each party

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found it beneficial. The patrons kept about them persons in whom they had confidence and who had already been engrafted on their families; the freed persons grown to honour and making profit, could create property for themselves and for their children. I cannot discover whether the Romans had hireling servants as is now the case. They then had true slaves and sometimes freed persons. This being the case, it is matter of surprise that Pignoria, in treating of the employment of the ancient slaves, should have been so perplexed as not to be able clearly to distinguish slaves from freed persons, and should have attributed to the former many employments which were specially reserved for the latter: and it is more to be wondered at, that marbles which speak of freed persons are referred to by him and explained as treating of slaves."

"Noi non sappiamo se cun patti, e con quai patti una vulta si manomet-tessero que' Servi, che poi continuavano come Liberti a servire in Casa de' loro Padroni, con essere alzati a pin onorati impieghi. Sappiamo bensi dal Tit. ne Operis Libertorum, e dall' altro de bonis Libertorum ne' Digesti, che moltissimi acquistavane la Liberta con obbligarsi di fare ai Padroni de' Regaii, o delle Fatture, se erano Artefici, *Operas, vel Donum*. Questo si praticava verisimilmente dai soli Mercatanti, ed altri Signori dati all' interasse, ma non gia dalle Nobili Case. Per conto di questo, le antiche Iscrizioni ci fanno vedere, che moltissimi furono coloro, che anche dopo la conseguita Liberta seguitavano a convivere, e servire in quelle medesime Case, non piu come Servi, ma come Liberti, perche probabilmente tornava il conto agli uni, e agli altri. I Padroni si servivano di Persone loro confidenti, e gia innestate nella propria Famiglia; ei Liberti cresciuti di onore, e di guadagno poteano ceumulara roba per se, e per li Figli. Non ho io potuto scoprire se i Romani tenessero Servi Mercenarj come oggidi. O di veri Servi, o di Liberti allora si servivano. Cio posto, maraviglia e, che il Pignoria in trattando degli Ufizj de' Servi antichi, imbrogliasse tanto le carte, senza distinguere i Servi dai Liberti, e con attribuir molti impieghi ai primi, che pure erano riserbati agli ultimi. E piu da stupire e, citarsi da lui Marmi, che parlano di Liberti, e pure sono presi da esso, come se parlassero di Servi."

Thus it is clear that even in the days of the Emperor Claudius, to whose reign, A. D. 45, the marble of which he treats refers, and probably long before that period, many of the freedmen of the Roman empire were bound to do certain services for the patrons who had been their masters, and that this obligation descended to their progeny. Hence this would still be a species of servitude.

The barbarians who overran the empire came chiefly from Scythia and from Germany, as that vast region was then called, which stretches from the Alps to the Northern Ocean. And when they settled in the conquered provinces of Gaul and in Italy itself, they introduced many of their customs and principles as well of government as of policy. Most of their slaves were what the writers of the second, third, and fourth centuries describe as *coloni* and *conditionibus obligati*. As Tacitus describes in xxv. *De Moribus Germanorum*, of which the following is Murphy's translation:—

"The slaves in general are not arranged at their several employments in the household affairs, as is the practice at Rome. Each has his separate habitation, and his own establishment to manage. The master considers him as an agrarian dependent, who is obliged to furnish a certain quantity of grain, of cattle, or of wearing apparel. The slave obeys, and the state of servitude extends no further. All domestic affairs are managed by the master's wife and children. To punish a slave with stripes, to load him with chains, or condemn him to hard labour, is unusual. It is true, that slaves are sometimes put to death, not under colour of justice, or of any authority vested in the master; but in a transport of passion, in a fit of rage, as is often the case in a sudden affray; but it is also true, that this species of homicide passes with impunity. The freedmen are not of much higher consideration than the actual slaves; they obtain no rank in their master's family, and, if we except the parts of Germany where monarchy is established, they never figure on the stage of public business. In despotic governments they rise above the men of ingenuous birth, and even eclipse the whole body of the nobles. In other states the subordination of the freedmen is a proof of public liberty."

In the appendix to the Theodosian code, *Const.* 5, we read, "Inverecundâ arte defendetur, si hi ad conditionem vel originem reposcuntur, quibus tempore famis, cum in mortem penuria cogerentur, opitulari non potuit Dominus aut patronus."

"It is forbidden as a shameless trick; that an effort should be made to regain to their condition or original state, those whom the master or patron could not aid when in a period of famine they were pressed nearly to death by want."

This exhibits the obligation on the patron of the person *under condition*, and on the master of the slave to support them, and

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the destruction of their title by the neglect of their duty.

Du Cange calls this *condition* "obnoxitatio," which we may perhaps translate *liability*, "tributum," *a tribute*, "pensitatio," which is generally considered to be "*a yearly payment*."

It will then suffice for my present purpose to have shown, that at this period of the sixth century, there existed unconditional slavery, and a conditional servitude, or that of persons bound either for freedom received, or for other cause, to render personal service or tribute in kind or yearly pension in payment in coin, as also colonists, some of whom were absolute slaves, but attached to the land upon which they wrought, and who owed their whole service to their owners, and other colonists who had the produce of the land, but were bound thereto and obliged to pay certain portions of that produce to the proprietor, but were in all other respects free to act as they thought proper, and to use the fruits of the soil as they thought proper.

Muratori justly observes, that in process of time, the special agreements and particular enactments regarding the *conditions*, gave such a variety as baffled all attempts at classification and precision.

At a much earlier period, slaves had become a drug in the Italian market. When about the year 405, Rhadagasius, the Goth, was leading upwards of three hundred thousand of his barbarians into Italy, the Emperor Honorius ordered the slaves to be armed for the defence of the country, by which arming they generally obtained their freedom: Stilichon, the consul, slew nearly 150,000 of the invaders in the vicinity of Florence, and made prisoners of the remainder, who were sold as slaves at the low price of one piece of gold for each. Numbers of them died within the year, so that Baronius relates, (Annals, A. D. 406,) that the purchasers had to pay more for their burial than for their bodies; according to the remarks of Orosius. In this state of the market, it was easy for the slave to procure that he should be held *at a condition*, and thenceforth the number under condition greatly increased, and in process of time, became more numerous than those in absolute slavery.

This hasty and imperfect view will elucidate much of the phraseology of our legislation. I now proceed to exhibit the action of the councils respecting slavery. In the year 541, some dates would make it appear 545, the fourth Council of Orange* was celebrated, in the xxxth year of King Childebert. The following is its ninth canon:—

"Ut episcopus, qui de facultate propria ecclesiæ nihil relinquit, de ecclesiæ facultate si quid aliter quam canones eloquuntur obligaverit, vendiderit aut distraxerit, ad ecclesiam revocetur, (ab ecclesia, *in other editions*.) Sane si de servis ecclesiæ libertos fecit numero competenti, in ingenuitate permaneant, ita ut ab efficio ecclesiæ non recedant."

"Be it enacted, That a bishop who has left none of his private property to the church, shall not dispose of any of the church property, otherwise than as the canons point out. Should he bind, or sell, or separate anything otherwise, let it be recalled for the church. But if, indeed, he has made freedmen of slaves of the church, to a reasonable number, let them continue in their freedom, but with the obligation of not departing from the duty of the church."

The Canon xxiii. of the same council is—

"Ut servis ecclesiæ, vel sacerdotum, prædas et captivitates exercere non liceat: quia iniquum est, ut quorum domini redemptionis præstare solent suffragium, per servorum excessum, disciplina ecclesiastica maculetur."

"That it be not lawful for the slaves of the church, or of the priests, to go on predatory excursions or to make captives, for it is unjust that when the masters are accustomed to aid in redeeming, the discipline of the church should be disgraced by the misconduct of the slaves."

The canon in prohibiting the abuse, not only shows the existence of slavery, but that it was not considered criminal in the church as a corporation, or in the clergyman as an individual, to hold such property. Many of our modern infidel writers, generally styled liberal, have copied and enlarged upon and adduced also as irrefragable witnesses, ancient writers inimical to the church, who have described the incursions of these slaves and dependants in this and subsequent ages; connecting their misdeeds with the church, describing them as instigated by prelates and by priests to commit robberies for the benefit of religion, and concealing studiously from view the efforts made by churchmen, not only to restrain their wickedness, but to protect their victims, and never alluding to the sacrifices made by the clergy to compensate the sufferers.

But that these were not the only abuses, against which the church had to contend in those disastrous times, the next canon will exhibit. In Judaism, God had established a limited sanctuary for slaves and for cer-

[* Orleans, vid. next letter.]

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tain malefactors, not to encourage crime, but to protect against the fury of passion, and to give some sort of aid to the feeble. Paganism adopted the principle, and the Christian temple and its precincts, became not only by common consent, but by legal enactment the sanctuary instead of the former. Like every useful institution, this too was occasionally abused.

The xxixth canon was—

"Quæcumque mancipia sub specie conjugii ad ecclesiæ septa confugerint, ut per hoc credant posse fieri conjugium, minime eis licentia tribuatur, nec talis conjunctio a clericis defensetur: quia probatum est, ut sine legitimâ traditione conjuncti, pro religionis ordine, statuto tempore ab ecclesiæ communione suspendantur, ne in sacris locis turpi concubitu misceantur. De quâ re decernimus, ut parentibus aut propriis dominis, prout ratio poscit personarum, acceptâ fide excusati sub separationis promissione reddantur: post modum tamen parentibus atque dominis libertate concessâ, si eos voluerint propriâ voluntate conjungere."

"Let not those slaves who, under pretext of marriage, take refuge within the precincts of the church, imagining that by this they would make a marriage, be allowed to do so, nor let such union be countenanced by the clergy: for it has been regulated that they who form a union, without lawful delivery, should be, for the good order of religion, separated for a fixed period from the communion of the church, so that this vile connexion may be prevented in holy places. Wherefore we decree, that such persons being declared free from the bond of any plighted faith, and made to promise a separation, should be restored to their parents or owners as the case may require; to be, however, subsequently, if the parents or owners should grant leave, married with their own free consent."

Thus it would appear, that as we have seen in some parts of the East at an earlier period, now in this portion of the West, the slaves were made incapable of entering into the marriage contract without the owner's consent. This discipline we shall however see, was at a subsequent period very properly abolished: for marriage is one of those natural rights which is not conveyed away by the subjection of the slave.

In this same council, canon xxx., provision is made for affording to the Christians, who are held as slaves by the Jews, not only sanctuary of the church, but in the house of any Christian, until a fair price shall be stipulated for and paid to the Jewish owner, if the Christian be unwilling to return to his service. This is a clear recognisation of the right of property in slaves.

Canon xxxi. of this council provides, that if any Jew shall bring a slave to be a proselyte to his religion, or make a Jew of a Christian slave, or take as his companion a Christian female slave, or induce a slave born of Christian parents to become a Jew under the influence of a promise of emancipation, he shall lose the title to every such slave. And further, that if any Christian slave shall become a Jew for the sake of being manumitted *with condition*, and shall continue to be a Jew, the liberty shall be lost, and *the condition* shall not avail him.

Canon xxxii. provides that the descendants of a slave, wherever they may be, even after a long lapse of time, though there should be neglect, if found upon the land or possession upon which their parents were placed, shall be held to the original conditions established by the deceased proprietor for the deceased parents, and the priest of the place shall aid in enforcing the fulfilment, and any persons, who shall through avarice interpose obstacles, shall be placed under church censures.

The doctrine and discipline of the church of the Franks was like that of other churches in the several regions of Christendom at this period.

A fifth council was held at Orleans, after the death of King Theobert, in the year 549, which was the tenth of Pope Vigilius, and the thirty-eighth of King Childebert. The sixth canon of this council relates to the improper ordination of slaves, to which I have previously adverted, and also exhibits to us more distinctly the freedmen *under condition*, classing them in this regard to a certain extent in the same category with slaves.

We also find here reference to a much more ancient canonical regulation, which I do not recollect to have seen elsewhere, punishing the bishop at the will of the owner, for his improper interference with that owner's property, in the slave that he ordained.

Canon vi.—"Ut servum, qui libertatem a dominis propriis non acceperit, aut etiam jam libertum, nullus episcoporum absque ejus tantum voluntate, cujus aut servus est, aut eum absolvisse dignoscitur, clericum audeat ordinare. Quod si quisquam fecerit, si qui ordinatus est a domino revocetur, et ille qui est collator ordinis, si sciens fecisse probatur, sex mensibus missas tantum facere non præsumat. Si vero sæcularium servus esse convincitur, ei qui ordinatus est benedictione servatâ, honestum ordini domino suo impendat obsequium. Quod si

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sæcularis dominus amplius eum voluerit inclinare, ut sacro ordini inferre videatur injuriam, duos servos sicut antiqui Canones habent, Episcopus qui eum ordinavit domino sæculari restituat; et episcopus eum quem ordinavit ad ecclesiam suam revocandi habeat potestatem."

"That no bishop shall dare to ordain as a clergyman, the slave who shall not have received license from his proper owners; or a person already freed, without the permission of either the person whose servant he is, or of the person who is known to have freed him. And if any one shall do so, let him who is ordained be recalled by his master, and let him who conferred the order, if it be proved that he did so knowing the state of the person, not presume to celebrate mass for six months only.* But if it be proved that he is the servant of lay persons, let the person ordained be kept in his rank and do service for his owner in a way becoming his order; but if his lay owner debases him under that grade, so as to do any dishonour to his holy order, let the bishop who ordained him give, as the ancient canons enact, two slaves to his master, and be empowered to take him whom he ordained to his church."

The next canon regards manumission, and the protection of those properly liberated from slavery, against the overbearing and injustice of persons who disregarded the legal absolution from service, given even with their own consent, by the authority of the civil government, in the church by the bishop. It more frequently happened that the liberation was made by one and the dragging back to slavery was the act of the heir.

Canon xii.—"Et quia plurimorum suggestione comperimus, eos qui in ecclesiis juxta patrioticam consuetudinem a servitio fuerint absoluti, pro libito quorum cumque iterum ad servitium revocari, impium esse tractavimus, ut quod in Ecclesia Dei consideratione a vinculo servitutis absolvitur, irritum habeatur. Ideo pietatis causâ communi consilio placuit observandum, ut quæcumque mancipia, ab ingenuis dominis servitute laxantur, in eâ libertate maneant, quam tunc a dominis perceperunt. Hujusmodi quoque libertas si a quocumque pulsata fuerit, cum justitiâ ab ecclesiis defendatur, præter eas culpas, pro quibus leges collatas servis revocare jusserunt libertates."

"And since we have discovered by information from several, that they who according to the custom of the country were absolved from slavery in the churches, were again at the will of some persons, reduced to slavery; we have regarded it to be an impiety; that what has by a judicial decree* been absolved from servitude in the church of God, should be set at nought. Wherefore, through motives of piety, it is decreed by common counsel, to be henceforth observed; that whatever slaves are freed from servitude by free masters, are to remain in that freedom which they then received from the masters, and should this liberty of theirs be assailed by any person, it shall be defended within the limits of justice by the churches, saving where there are crimes for which the laws have enacted that the liberty granted to servants shall be recalled."

From the above it would appear that the persons then called *liberti*, or freedmen, or the *conditionati* or persons under condition, and probably in some instances, *coloni* or colonists, had slaves, but were not permitted to liberate them, at least without the consent of their own masters, for the canon speaks of only the servants of the *ingenui* or those who enjoyed perfect freedom. We see, also, what is evident from many other sources, that persons who had obtained their freedom, were for some crimes reduced to servitude, and we shall see in future times, even freedmen so enslaved for various offences.

Again, in the canon xxii., of this same council, we find provision which exhibits the caution which was used in regulating the right of sanctuary for slaves. This right was, in Christianity, a concession of the civil power, humanely interposing, in times of imperfect security and violent passion, the protecting arm of the church, to arrest the violence of one party so as to secure merciful justice for the other, and to make the compositions of peace and equity be substituted for the vengeance or the exactions of power. It was, so far from being an encouragement to crime, one of the best helps towards civilizing the barbarian.

Canon xxii.—"De servis vero, qui pro qualibet culpa ad ecclesiæ septa confugerint, id statuimus observandum, ut, sicut in antiquis constitutionibus tenetur scriptum, pro concessâ culpâ datis a domino sacramentis, quisquis ille fuerit, egrediatur de veniâ jam securus. Enimvero si immemor fidei dominus transcendisse convincitur quod juravit, ut is qui veniam acceperat, probetur postmodum pro eâ cum qualicum-

* Canon xxvi. of the first Council of Orange made the suspension "a year," this, "six months only."

* *Consideratione*, "By a judicial decree," Du Cange, *Decretum, Judicium curiæ.*

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que supplicio cruciatus, dominus ille, qui immemor fuit datæ fidei, sit ab omnium communione suspensus. Iterum si servus de promissione veniæ datis sacramentis a domino jam securus exire noluerit, ne sub tali contumacia requirens locum fugæ, domino fortasse disperiat, egredi nolentem a domino eum liceat occupari, ut nullam, quasi pro retentatione servi, quibuslibet modis molestiam aut calumniam patiatur ecclesia: fidem tamen dominus, quam pro concessâ veniâ dedit, nullâ temeritate transcendat. Quod si aut gentilis dominus fuerit, aut alterius sectæ, qui a conventu ecclesiæ probatur extraneus, is qui servum repetit personas requirat bonæ fidei Christianas, ut ipsi in personâ domini servo præbant sacramenta: quia ipsi possunt servare quod sacrum est, qui pro transgressione ecclesiasticam metuunt disciplinam."

"We enact this to be observed respecting slaves, who may for any fault fly to the precincts of the church, that as is found written in ancient constitutions, when the master shall pledge his oath to grant pardon to the culprit, whosoever he may be, he shall go out secure of pardon. But, if the master, unmindful of his oath, shall be convicted of having gone beyond what he had sworn, so that it shall be proved that the servant who had received pardon was afterwards tortured with any punishment for that fault, let that master who was forgetful of his oath, be separated from the communion of all. Again, should the servant secured from punishment by the master's oath, be unwilling to go forth, it shall be lawful for the master, that he should not lose the service of a slave seeking sanctuary by such contumacy, to seize upon such a one unwilling to go out, so that the church should not suffer either trouble or calumny by any means on account of retaining such servant: but, let not the master in any way rashly violate the oath that he swore for granting pardon. But, if the master be a gentile, or of any other sect proved without the church, let the person who claims the slave procure Christian persons of good account who shall swear for the servant's security in the master's name: because they who dread ecclesiastical discipline for transgression can keep that which is sacred."

About this period a council was held at the ancient capital of the Averni, subsequently Auvergne in France; the city was in after times called "Clarus Mons"—now *Clermont*, in *Puy de Dome*. The sixth canon of this Conc. II., Avernens, is the same in substance and nearly a literal copy of the xxii. of Orleans. Aurel. V., enacting the like penalty of six months' suspension from celebrating Mass, against the bishop who in certain cases should ordain a slave.

Thus we find the property in slaves fully recognised by the church in the sixth century.

I have the honour to be, sir,
Respectfully, &c.
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Dec. 9th, 1840.

LETTER VIII.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I shall, for a moment, extend my observations to the most western part of Europe known at the period of which I treat, and to a date about one hundred and fifty years prior to that, at which we have arrived.

My object in doing so, is to show, as fully as the evidence within my reach will admit, that the state of those countries, whose ecclesiastical legislation I have produced, differed not, respecting slavery, from the other regions of Europe. The act, to which I am about to refer, is one of those violations of all law and order, of which no one can approve, but a reference to which is absolutely necessary, to understand the history that must be unfolded at a future period of our inquiry.

The Irish had slaves, as all the other nations had, and about the year 402, Niell Naoigiallach, or Niel of the Nine Hostages, having ravaged the coast of Britain and Gaul, was slain, in 403, near the Portus Iccius, supposed to be in the vicinity of Boulogne. In this expedition, a large number of captives were made, of whom it is stated, that two hundred were young men of very respectable families: one youth, of only sixteen years of age, by the name of Cothraige, was sold to Milcho, and was employed by him in tending sheep, in a place called Dalradia—within the present county of Antrim. After three years he was delivered, and returned to Gaul, where, some years subsequently, he was reduced again to captivity, probably by a band of roving Franks, but was released after a couple of months. This Cothraige was St. Patrick, subsequently the Apostle of Ireland.

St. Patrick, in his confession, states that many of his unfortunate countrymen were carried off and made captives, and dispersed among many nations.

The Romans had possession of Britain, and even had not slavery existed there

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previously, they would have introduced it; but, unfortunately, the Britons needed not this lesson; they had been abundantly conversant with it before; and we shall see evidence of the long continuance of its practice.

About the year 450, a party of them, amongst whom were several that professed the Christian religion, made a piratical incursion upon the Irish coast, under the command of Corotic, or Caractacus, which is also sometimes called Coroticus, and which seems to have been in Britain, for a long period, as regular a monarchic appellation as was Pharaoh in Egypt. Of this incursion, Lanigan compiles the following account, from several authors, to whom he refers, and from whom he quotes in his notes:*

"This prince, Coroticus, though apparently a Christian, was a tyrant, a pirate, and a persecutor. He landed with a party of his armed followers, many of whom were Christians, at a season of solemn baptism, and set about plundering a district (undoubtedly maritime) in which St. Patrick had just baptized and confirmed a great number of converts, and on the very day after the holy chrism was seen shining in the foreheads of the white-robed neophytes. Having murdered several persons, these marauders carried off a considerable number of people, whom they went about selling or giving up as slaves to the Scots and the apostate Picts. St. Patrick wrote a letter, not extant, which he sent by a holy priest whom he had instructed from his younger days, to those pirates, requesting of them to restore the baptized captives and some part of the booty. The priest and the other ecclesiastics, that accompanied him, being received by them with scorn and mockery, and the letter not attended to, the saint found himself under the necessity of issuing a circular epistle or declaration against them and their chief Coroticus, in which announcing himself a bishop and established in Ireland, he proclaims to all those who fear God, that said murderers and robbers are excommunicated and estranged from Christ, and that it is not lawful to show them civility, nor to eat or drink with them, nor to receive their offerings, until sincerely repenting they make atonement to God and liberate his servants and the handmaids of Christ. He begs of the faithful, into whose hands the epistle may come, to get it read before the people everywhere, and before Coroticus himself, and to communicate it to his soldiers, in the hope that they and their master may return to God, &c. Among other very affecting expostulations, he observes, that the Roman and Gallic Christians are wont to send proper persons with great sums of money to the Franks and other pagans, for the purpose of redeeming Christian captives; while, on the contrary, that monster, Coroticus, made a trade of selling the members of Christ to nations ignorant of God."

The Britons were frequently invaded by the Scots, upon the abandonment of their country by the Romans; and at that period here alluded to, it is supposed by many, that the captives taken from Ireland were, in several instances, given by their possessors to the plundering and victorious Northmen, by the Britons, in exchange for their own captured relatives whom they desired to release.

Here, sir, we have an instance which will show us the nature of that traffic in slaves, which the letter of his Holiness Pope Gregory XVI. condemns, and which was condemned by the legate of Pope Leo the Great, in Ireland, nearly fourteen centuries ago, about the very period when Leo himself turned the fierce Hun Attila, "the scourge of God," from the devastation of Italy; and it was somewhat about this period, that the harassed Britons called, through Vortigern, upon the Saxons Hengist and Horsa, to protect them from their ferocious neighbours on the North. This, sir, will suffice to show us, that not a spot in the then known regions of the globe, could be pointed out, that was exempt from the prevalence of slavery.

I now return to examine the history of ecclesiastical legislation on this subject, during the period subsequent to my last notice. I shall, however, supply an omission that I made in the proceedings of the Council of Clermont, as given in my last, viz., that the seventh canon adopted the principle and enacted the regulations of the 24th canon of the fourth Council of Orleans, respecting the duty of the bishop to defend the freedom of those who were manumitted. I have also to correct some mistakes of name in that letter, where I gave the appellation of *Orange* to *Orleans*, and did not observe it until too late for correction.

About the year 555, which was the third of Pope Pelagius I., and forty-sixth of King Childebert, the third Council of Paris was celebrated. In this we find a canon which is styled *De servis degeneribus*, which, in the phraseology of that age, means *bastard servants*.—See *Du Cange*.

Canon ix.—"De degeneribus servis, qui

* Ecclesiastical History of Ireland, vol. i., chap. iv., § x.

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pro sepulchris defunctorum pro qualitate ipsius ministerii deputantur, hoc placuit observari, ut sub quâ ab auctoribus fuerint conditione dimissi, sive heredibus, sive ecclesiis pro defensione fuerint deputati, voluntas defuncti circa eos in omnibus debeat observari. Quod si ecclesia eos de fisci functionibus in omni parte defenderit ecclesiæ tam illi, quam posteri eorum, defensione in omnibus potiantur, et occursum impendant."

"It is enacted concerning bastard slaves who are placed to keep the sepulchres, because of the rank of that office, that whether they be placed under the protection of the heirs or of the church for their defence, upon the condition upon which they were discharged by their owners, the will of the deceased should be observed in all things in their regard. But, if the church shall keep them entirely exempt from the services and payments of the fisc, let them and their descendants enjoy the protection of the church for defence and pay to it their tribute."*

The *Auctores* or authors, in the original sense, was *owners* or *masters;* and subsequently, especially in Gaul, it was often taken to mean *parents*, which probably, from the context, is here its meaning; and we find a new title and a new class, where the master having committed a crime with his servant, the offspring was his slave; yet, his natural affection caused the parent to grant him a conditioned freedom, to protect which this canon specified the guardian to be either the heir or the church.

In or about the year 610, or the second year of King Ariamia, the second Council of Alicant, in the province of Valentia, in Spain, was celebrated: it is styled Lucense II. It received and adopted the *Capitula* or heads of canons sent to a previous council, Lucense I. or first of Alicant, which was celebrated in the year 607, in the reign of Theodomir, father of Ariamir. These little chapters or heads were transmitted by Martin, archbishop or metropolitan of Braga, who presided at the third council of that city, in the year 572.

Martin collected from the councils of the east and the west, the greater portion of the canon law then in force and made a compendium thereof, which he distributed into 84 heads, which formed as many short canons, and thenceforth they were the basis of the discipline in Spain.

The forty-sixth of these canons is the following:

"Si quis obligatus tributo servili, vel aliqua conditione, vel patrocinio cujuslibet domûs, non est ordinandus clericus, nisi probandæ vitæ fuerit et patroni concessus accesserit."

"If any one is bound to servile tribute, or by any condition, or by the patronage of any house, he is not to be ordained a clergyman, unless he be of approved life and the consent of the patron be also given."

This canon is taken into the body of the canon law. *Dist.* 53.

Canon 47.—"Si quis servum alienum causâ religionis doceat contemnere dominum suum et recedere à servitio ejus, durissimè ab omnibus arguatur."

"If any person will teach the servant of another under pretext of religion to despise his master and to withdraw from his service, let him be most sharply rebuked by all."

This too is taken into the body of the canon law. (17. q. 4, *Si quis.*) I before observed that this was one of the earliest enactments at Ancyra, in the eastern division of the church, against the fanatics of the third and fourth centuries. Their spirit seems to have transmigrated to our continent, and to have animated several of our over-seeming pious folk of the present day.

In the year 589 the third Council of Toledo, in Spain, was celebrated, in the pontificate of Pope Pelagius II. All the bishops of Spain assembled upon the invitation of King Reccared, and the Goths, after upwards of two centuries of adherence to the Arian heresy, were induced to abandon it and to submit to the church. The articles of faith form 23 heads of various length; after which follow 23 *Capitula*, or little chapters or heads of discipline.

The sixth of these is in the following words:

VI.—"De libertis autem id Dei præcipiunt sacerdotes, ut si qui ab episcopis facti sunt secundum modum quo canones antiqui dant licentiam, sint liberi; et tamen a patrocinio ecclesiæ tam ipsi, quam ab eis progeniti non recedant. Ab aliis quoque libertati traditi, et ecclesiis commendati, patrocinio episcopali regantur: à principe hoc episcopus postulet."

"The priests of God decree concerning freedmen, that if any are made by the bishops in the way the ancient canons permit, they shall be considered free; yet so that neither they nor their descendants shall retire from the patronage of the church. Let those freed by others and placed under the protection of the church be placed under the bishop's protection. Let the bishop ask this of his prince."

This *commendatio* was a guardianship.

* *Occursum*, in the style of that age and country, is *tribute* or *payment*.

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The custom was generally to make the church the guardian of those who were emancipated from servitude, yet the freedman owed to his patron or guardian not only great respect but some little service or gift, in return for the protection he received.

The bishops about this period, in many places, were judges, to a certain extent, in those cases where their clergy or others under their charge or belonging to the church were concerned; but this not by divine right, nor by ecclesiastical authority, but by the concession and commission of the civil power. And this canon or chapter very regularly, when enacting that the bishop as patron should govern such clients or freed persons, refers to the proper source, by adding the expression, "Let the bishop ask his prince"—because the power of temporal rule is in the state not in the church, but when granted to the church by the state, it necessarily was not only validly but legally and properly used.

This too is taken into the body of the canon law.—(12. q. 2. *de libertis*.)

A custom had already gained considerable prevalence, which we shall find greatly extended in subsequent ages, of granting to the church slaves for its service and support. The administrators of the church property were called *familia fisci*. The church property was in ecclesiastical documents generally styled the *fisc*. The *fisca regis*, or royal fisc, was a different fund or treasury. It sometimes happened that the clergy who were the administrators sought to obtain from the "conditioned slaves" more than they were bound to give, and also, sometimes, others sought to have their service taken from the church. The Capitulary VIII. of this third Council of Toledo was enacted to remedy this latter grievance.

"Inuente (other copies Jubente) atque consentiente domino piissimo Reccaredo rege, id præcipit sacerdotale consilium, ut clericorum (others, clericos) ex familiâ fisci nullus audeat, a principe donatos expetere; sed reddito capitis sui tributo ecclesiæ Dei, cui sunt alligati, usque dum vivent, regulariter administrent."

"By the suggestion (or by the command) and with the consent of the most pious lord King Reccared, the council of priests directs that no one shall dare to reclaim from the administrators of the church those clergy given by the prince, but having paid their tribute to the church of God, to which they are bound, let them, as long as they live, administer regularly."

In the same council, the canon xv. is the following:

"Si qui ex servis fiscalibus ecclesias forte construxerint easque de suâ paupertate ditaverint, hoc procuret episcopus prece suâ auctoritate regiâ confirmari."

"If any of the king's special servants shall have built churches and have enriched them by the contributions from their poverty, let the bishop obtain that it be confirmed by the royal authority."

The *servi fiscales* were the private or patrimonial property of the king; and Binius and Garcia remark that in this canon the *fiscus* means the royal patrimony, as is plain from the edict of the king by which he embodied the temporal enactments found in those canons into the body of the Spanish law, and also enacted fines to his treasury, or confiscation for the violation of any of the decrees of the council.

This also exhibits the principle that the slave was not permitted to contribute, without the consent of his owner, to religious establishments, and in several instances, and as a general principle, nothing could be more wise and just.

I shall conclude my observations for the present by producing a canon from that collection which is styled that of *Quinisextum*, or the assembly held in 692, in Constantinople, in the hall of the palace called Trulla, whence it is called *Concilium Trullanum*, or the Council of Trullo. Some of the acts of this assembly were set aside by the church as exceedingly irregular and of no force, but, other canons, exhibited as theirs, are in perfect conformity with the doctrine and discipline of the Universal Church and generally received as known and admitted rules of discipline. The following is one not only unobjected to, but conformable to what was the general usage. I have before me the Greek original and a Latin accurate translation. I cannot so conveniently have the former printed and shall, therefore, give the latter.

Canon lxxxv.—"In duobus vel tribus testibus confirmari omne verbum ex scriptura accepimus. Servos ergo qui a dominis suis manumittuntur, sub tribus eo frui honore decernimus, qui præsentes libertati vires et firmitatem afferent et ut iis quæ ipsis testibus facta sunt, fides habeatur efficient."

"We have learned from the Scripture that every word is confirmed in two or three witnesses. We therefore decree, that slaves who are manumitted by their masters shall be admitted to enjoy that honour under three witnesses, who may be able to afford security by their presence to the freedom, and who may be able to secure credit for the acts done in their view."

Thus we have at this period, the legisla-

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tion respecting slavery in all the portions of the church from the Ganges to the Atlantic, and from Scythia to Ethiopia. We find in Ireland piracy and robbery, and the reducing of freemen by violence in a time of peace by private marauders, and carrying them into bondage into remote countries, condemned by excommunication; but we find domestic slavery of every grade tolerated, and we find slaves to be property of the church.

I shall, I hope, be able to continue without interruption, to follow up my evidence.

I have the hônour to be, sir,

Respectfully, &c.

† JOHN, *Bishop of Charleston.*

Charleston, S. C., December 17, 1840.

LETTER IX.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—Perhaps it would be as well that I should give, at length, the following passage from the venerable Bede, (Hist. Ecclesiast. Gent. Anglor. Lib. ii. c. 1.) It will at least show the readers of these letters a little morsel of that punning, which was fashionable in the decline of the Roman power, even amongst the best scholars and the most holy men:—

"Nec silentio prætereunda opinio quæ de beato Gregorio, traditione majorum ad nos usque perlata est: quâ videlicet ex causâ admonitus, tam sedulam erga salutem nostræ gentis curam gesserit. Dicunt, quia die quâdam cum advenientibus nuper mercatoribus multa venalia in forum fuissent conlata, multique ad emendum confluxissent, et ipsum Gregorium inter alios advenisse, ac vidisse inter alia pueros venales positos, candidi corporis ac venusti vultus, capillorum quoque formâ egregiâ. Quos cum aspiceret, interrogavit, ut ajunt, de quâ regione vel terrâ essent adlati. Dictumque est quod de Brittaniâ insulâ, cujus incolæ talis essent aspectûs. Rursus interrogavit, utrum iidem insulani, Christiani, an paganis adhuc erroribus essent implicati. Dictumque est, quod essent pagani. At ille intimo ex corde longa trahens suspiria: 'Heu, proh dolor! inquit, quod tam lucidi vultûs homines, tenebrarum auctor possidet, tantaque gratia frontispicii mentem ab internâ gratiâ vacuam gestat!' Rursus ergo interrogavit, quod esset vocabulum gentis illius. Responsum est quod Angli vocarentur. At ille, 'Benè, inquit: nam et angelicam habent faciem, et tales angelorum in cœlis decet esse coheredes. Quod habet nomen ipsa provincia de quâ isti sunt adlati?' Responsum est quod Deiri vocarentur iidem provinciales. At ille: 'Benê, inquit, Deiri, de irâ eruti, et ad misericordiam Christi vocati. Rex provinciæ illius quomodo appellatur?' Responsum est quod *Aella* diceretur. At ille adludens ad nomen ait: '*Alleluia*, laudem Dei creatoris illis in partibus oportet cantari.' Accedensque ad Pontificem Romanæ et Apostolicæ sedis, nondum enim erat ipse Pontifex factus, rogavit, ut genti Anglorum in Britanniam aliquos verbi ministros, per quos ad Christum converterentur, mitteret: seipsum paratum esse in hoc opus Domino co-operante perficiendum, si tamen Apostolico Papæ hoc ut fieret, placeret. Quod dum perficere non posset; quia etsi pontifex concedere illi quod petierat voluit, non tamen cives Romani, ut tam longe ab urbe recederet potuere permittere; mox ut ipse Pontificatûs officio functus est, perficit opus diu desideratum: alios, quidem Prædicatores mittens, sed ipse Prædicationem ut fructificaret suis exhortationibus et precibus adjuvans."

"Nor is that notice of the blessed Gregory which has come down to us by the tradition of our ancestors to be silently passed over: for by reason of the admonition that he then received, he became so industrious for the salvation of our nation. For they say, that on a certain day when merchants had newly arrived, many things were brought into the market and several persons had come to purchase; Gregory himself came amongst them, and saw exposed for sale, youths of a fair body and handsome countenance, whose hair was also beautiful. Looking at them, they say, he asked from what part of the world they were brought; he was told from the island of Britain, whose inhabitants were of that complexion. Again he asked whether these islanders were Christians or were immersed in the errors of paganism. It was said: that they were pagans. And he, sighing deeply, said, 'Alas! what a pity that the author of darkness should possess men of so bright a countenance, and that so graceful an aspect should have a mind void of grace within!' Again he inquired what was the name of their nation. He was told that they were called Angles. He said, 'It is well, for they have angelic faces, and it is fit that such should be the coheirs with angels in Heaven.' From what province were they brought, was his next inquiry. To which it was answered: The people of their province are called Deiri. 'Good again,' said he, 'Deiri, (de irâ eruti) rescued from anger and called to the mercy of Christ.' What is the name of the king of

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that province? He was told Aella. And playing upon the word, he responded 'Alleluia.' The praises of God our Creator ought to be chaunted in those regions. And going to the pontiff of the Roman Apostolic See, for he was not yet made Pope himself, he besought him to send to Britain for the nation of the Angles, some ministers of the word through whom they may be converted to Christ; and stated that he was himself ready, the Lord being his aid, to undertake this work, if the Pope should so please. This he was not able to do, for though the pontiff desired to grant his petition, the citizens of Rome would not consent that he should go to so great distance therefrom; as soon, however, as he was placed in the office of Pope, he performed his long-desired work; he sent other preachers, but he aided by his prayers and exhortations that he might make their preaching fruitful."

This occurred about the year 577, and Gregory became Pope in 590. In the interim, the zealous monk prayed and reflected on the subject, and we find that soon after his elevation to the Pontifical dignity, he sought to purchase some of the British youths, in order to have them trained up to be missionaries to their countrymen.

The Holy See had already a considerable patrimony in Gaul, bestowed by the piety of the faithful; we shall see, from the following epistle of the Pope to the priest Candidus, whom he sent as its administrator, the use which was made of its income.

Lib. v. Epist. x.—"Gregorius Candido Presbytero eunti ad patrimonium Galliæ.

"Pergens auxiliante Domino Deo nostro Jesu Christo ad patrimonium, quod est in Galliis gubernandum, volumus ut dilectio tua ex solidis quos acceperit, vestimenta pauperum, vel pueros Anglos, qui sunt ab annis decem et septem, vel decem et octo, ut in monasteriis dati Deo proficiant, comparet; quatenus solidi Galliarum, qui in terrâ nostrâ expendi non possunt, apud locum proprium utiliter expendantur. Si quid vero de pecuniis redituum, quæ dicuntur ablatæ, recipere potueris, ex his quoque vestimenta pauperum comparare te volumus; vel, sicut prefati sumus, pueros qui in omnipotentis Dei servitio proficiant. Sed quia pagani sunt, qui illic inveniri possunt, volo, ut cum eis presbyter transmittatur, ne quid ægritudinis contingat in viâ, ut quos morituros conspexerit, debeat baptizare. Ita igitur tua dilectio faciat, ut hæc diligenter implere festinet."

"Gregory to the Priest Candidus going to the patrimony of Gaul.

"As you are going, with aid of the Lord Jesus Christ, our God, to govern the patrimony which is in Gaul; we desire that out of the shillings you may receive, you, our beloved, should purchase clothing for the poor, or English youths about the age of seventeen or eighteen, that being placed in monasteries they may be useful for the service of God; so that the money of Gaul, which ought not to be expended in our land, may be laid out in its own place beneficially. If you can also get any of the money of that income called tolls (ablatæ), we also desire that you should therewith buy clothing for the poor, or as we have before said, youths who may become proficients in the service of God. But as they who dwell in that place are pagans, it is our desire that a priest be sent with them, lest they should get sick on the journey, and he ought to baptize those whom he may see in a dying state. So let you, our beloved do, and be alert in fulfilling what we have desired."

The commission of Pope Gregory the Great to Candidus was to purchase those youths, and, as we learn from other sources, it was executed. But, as Lingard observes, (Ant. Anglo-Saxon Chh. c. i.) "their progress was slow; and his zeal impatient." The result was that St. Augustine and his companions were sent by the Pope, and effected the conversion of the island.

In the same chapter, Lingard describes the Saxons who had settled in England, previous to their conversion, and for that portion which I quote, he refers amongst others to Will. of Malmesbury (de reg. l. i., c. 3,) and the testimony is well sustained by others.

"The savages of Africa may traffic with the Europeans for the negroes whom they have seized by treachery, or captured in open war; but the most savage conquerors of the Britons sold without scruple, to the merchants of the continent, their countrymen, and even their own children."

Nor was slavery abolished by the introduction of Christianity, but its rigours were greatly mitigated. Lingard, in the next page (31) informs us—

"But their ferocity soon yielded to the exertions of the missionaries, and the harsher features of their origin were insensibly softened under the mild influence of the Gospel. In the rage of victory they learned to respect the rights of humanity. Death or slavery was no longer the fate of the conquered Britons; by their submission, they were incorporated with the victors: and their lives and property were protected by the equity of their Christian conquerors.

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* * * * The humane idea, that by baptism, all men become brethren, contributed to meliorate the condition of slavery, and scattered the seeds of that liberality, which gradually undermined, and at length abolished so odious an institution. By the provision of the legislature, the freedom of the child was secured from the avarice of an unnatural parent; and the heaviest punishment was denounced against the man, who presumes to sell to a foreign master one of his countrymen, though he were a slave or a malefactor."

Doctor Lingard refers to the laws of Ina 23, 24, 32, 46, as they are found in Wilkins. I cannot have reference myself to these laws. I had some time since, a copy in my library, of which some one thought proper to deprive me. Nor can I find a copy in this city; but I have no doubt whatever of Lingard's correctness. Ina did not ascend the throne until the year 688, and it was in the fifth year of his reign that he assembled the Witnagemot, or parliament, in which those laws were enacted. We shall, henceforth, have under our eye the legislation on the subject of slavery in England, and shall find that upwards of five hundred years more elapsed before slavery approached the term of abolition in that island.

We have seen Pope St. Gregory the Great purchasing slaves in order to have them educated and ordained; and unless I should show from his works that he regarded and taught the compatibility of slaveholding with the practice of religion, this may be urged as an evidence of abolitionism and of the incompatibility of slavery with his notions of justice. I shall therefore produce evidence to this effect.

In his book "Pastoralis Curæ," *Of the Pastoral Care*, part 3, c. i., Admonit. vi., is the following:

Admonitio vi.—"Aliter admonendi sunt servi, atque aliter domini. Servi scilicet, ut in se semper humilitatem conditionis aspiciant: domini vero, ut naturæ suæ quâ æqualiter sunt cum servis conditi, memoriam non amittant. Servi admonendi sunt ne dominos despiciant, ne Deum offendant si ordinationi illius superbiendo contradicunt: domini quoque admonendi sunt, quia contra Deum de munere ejus superbiunt, si eos quos per conditionem tenent subditos, æquales sibi per naturæ consortium non agnoscunt. Isti admonendi sunt ut sciant se servos esse dominorum: illi admonendi sunt ut cognoscant se conservos esse servorum. Istis namque dicitur: Servi, obedite dominis carnalibus. Et rursum: Quicumque sunt sub jugo servi, dominos suos omni honore dignos arbitrentur: illis autem dicitur: et vos, domini, eadem facite illis, remittentes minas, scientes quod et illorum et vester dominus est in cœlis."

Admonition vi.—"Servants are to be admonished in one way, masters in another way. Servants indeed that they should always regard in themselves the lowliness of their condition: masters, however, that they lose not the recollection of their nature by which they are created upon a level with their slaves. Slaves are to be admonished not to despise their masters, lest they offend God, if growing proud they contradict his ordinance: masters too are to be admonished; because they grow proud against God by reason of his gift, if they do not acknowledge as their equals, by the fellowship of nature, those whom by condition they hold as subjects. These are to be admonished that they be mindful that they are the slaves of their masters: those that they recollect that they are the fellow-servants of servants. To these it is said: Servants, obey your masters in the flesh, and again, Whosoever are servants under the yoke: let them consider their masters worthy of all honour: but to those it is said, And you, masters, do in like manner to them: laying aside threats: knowing that your and their master is in heaven."

In his book ii. of Epistles, Ep. xxxix., writing to Peter, a subdeacon of Campania, he directs him how to act in the case of a female slave belonging to a proctor or manager of church property (*defensor*), who was anxious to be allowed to become a sister in a monastery, which was not lawful without the consent of her owner. The Pope neither orders the master to manumit her nor to permit her profession, for though he was employed by the church, the religion to which he belonged did not require of him to give away his property, nor had the head of that church power to deprive him thereof; hence he writes:

"Præterea quia Felix defensor puellam nomine Catillam habere dicitur, quæ cum magnis lacrymis, et vehementi desiderio habitum conversionis appetit, sed eam præfatus dominus suus converti minime permittit: proinde volumus, ut experientia tua præfatum Felicem adeat, atque puellæ ejusdem animum sollicitè requirat; et si ita esse cognoverit, pretium ejusdem puellæ suæ domino præbeat, et huc eam in monasterio dandam cum personis gravibus, Domino auxiliante, transmittat. Ita verò hæc age, ut non per lentam actionem tuam præfatæ puellæ anima detrimentum aliquod in desiderio suo sustineat."

"Moreover, because the proctor Felix is

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said to have a servant named Catilla, who with many tears and vehement desire wishes to obtain the habit of religion; but her aforesaid master will not, by any means, permit her making profession: it is then our desire that your experience would call upon the said Felix, and carefully examine the disposition of that young woman, and if you should find it such as is stated, pay to the master her price and send her hither with discreet persons to be placed, with God's help, in a monastery. But do this, so that the soul of the young woman may not suffer any inconvenience in her desire, through your tardiness."

The following is a deed of gift which the same Pope made, to assure the possession of a slave to the Bishop of Porto, one of the suburban sees near Rome. It is curious, not merely as exhibiting the fact that the Pope and the See of Rome held and transferred slaves at this period, but also as giving a specimen of a legal document of that date and tenor:

Lib. x., Ep. lii.—"Gregorius, Felici Episcopo Portuensi.

"Charitatis vestræ gratiâ provocati, ne infructuosi vobis videamur existere, præcipuè cum et minus vos habere servitia noverimus; ideo Joannem juris Ecclesiastici famulum, natione Sabinum, ex massâ Flavianâ, annorum plus minus decem et octo, quem nostra voluntate jam diu possidetis, fraternitati vestræ jure directo donamus atque concedimus; ita ut eum habeatis, possideatis, atque juri proprietatique vestra vindicetis atque defendatis, et quidquid de eo facere volueritis, quippe ut dominus, ex hujus donationis jure libero potiamini arbitrio. Contra quam munificentiæ nostræ Chartulam nunquam nos successoresque nostros noveris esse venturos. Hanc autem donationem a Notario nostro perscriptam legimus, atque subscripsimus, tribuentes etiam non expectatâ professione vestrâ quo volueritis tempore alligandi licentiam legitimâ stipulatione et sponsione interpositâ. Actum Romæ."

"Excited by our regard for your charitable person, that we may not appear to be useless to you, especially as we know you are short of servants: we therefore give and grant to you our brother, by our direct right, John, a servant of the church domain, by birth a Sabine, of the Flavian property, now aged about eighteen years, whom, by our will, you have a good while had in your possession. So that you may have and possess him, and preserve and maintain your right to him and defend him as your property. And that you may, by the free right of this donation, enjoy the exercise of your will, to do what you may think proper in his regard, as his lord.

"Against which paper of our munificence, you may know that neither we nor our successors are ever to come. And we have read this deed of gift, written out by our notary, and we have subscribed the same, not even awaiting your profession, respecting the time you would desire license to register it in the public acts by interposing the lawful process of signature and covenant. Done at Rome," &c.

The *Massa* was generally a portion of land: and the servants belonging specially thereto are in the documents of this and a later period generally called either *servi de* (or *ex*) *massa*, and when they subsequently became *conditioned*, or freed to a certain extent, they were called *homines de Masnada*, or other names equivalent thereto.

I shall reserve to my next, a form of manumission by which this pope liberated two slaves.

I shall conclude for this day by giving the following document respecting the release of captives.

Lib. v. Ep. xxxiv.—"Gregorius, Anthemio Subdiacono:

"Quantus dolor, quantaque sit nostro cordi afflictio de his, quæ in partibus Campaniæ contigerunt, dicere non possumus: sed ex calamitatis magnitudine potes ipse cognoscere. Eâ de re, pro remedio captivorum qui tenti sunt, solidos experientiæ tuæ per horum portitorem Stephanum virum magnificum transmisimus, admonentes ut omnino debeas esse sollicitus, ac strenuè peragas, et liberos hommes, quos ad redemptionem suam sufficere non posse cognoscis, tu eos festines redimere. Qui vero servi fuerint, et dominos eorum itâ pauperes, esse compereris, ut eos redimere non assurgant, et hos quoque comparare non desinas. Pariter etiam et servos ecclesiæ qui tuâ negligentiâ perierunt, curabis redimere. Quocumque autem redemeris, subtiliter notitiam, quæ nomina eorum vel quis ubi maneat, sive quid agat, seu unde sit, contineat, facere modis omnibus studebis, quam tecum possis afferre cum veneris. Ita autem in hâc re te studiosè exhibere festina, ut ii qui redimendi sunt, nullum te negligente periculum possint incurrere, et tu apud nos postea vehementer incipias esse culpabilis, sed et hoc quam maxime age, ut si fieri potest, captivos ipsos minori possis pretio comparare. Substantiam verò sub omni puritate atque subtilitate describe, et ipsam nobis descriptionem cum celeritate transmitte."

Gregory, *to the Subdeacon Anthemius.*

"We cannot express how great is our grief and the affliction of our heart, by rea-

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son of what has occurred in a part of Campania; but you may yourself estimate it from the extent of the calamity. Wherefore we send to your experience, by Stephen, a worthy man, the bearer hereof, money for the aid of those captives, who are detained; admonishing you that you ought to be very industrious and exert yourself to discover what freemen are unable to procure their own release, and that you should quickly redeem them. But respecting the slaves, when you shall discover that their masters are so poor as not to have it in their power to release them, you will also not omit to buy them. In like manner you will be careful to redeem the servants of the church who have been lost through your neglect.

"You will also be very careful by all means to make a neat brief, which you can bring when you come, containing their names, as also where any one remains, how he is employed, or whence he is. You will be diligent and so industrious in this transaction as to give no cause of danger by your neglect for those who are to be released, nor run the risk of being exceedingly culpable in our view. You will be most particular, above all things, to procure the release of the captives at the lowest possible rate. You will make out the accounts as accurately and as clearly as possible, and send them to us with speed."

The calamity which he bewails was an incursion of the Lombards, who coming originally from Scandinavia, settled for a while in Pomerania, and about this period ravaged Italy.

We perceive in this epistle the redemption of the freemen, that of slaves whose masters were too poor to pay their ransom, and who were restored by the Pope to their owners, and we find the slaves belonging to the church. Thus we have as much evidence as we need desire, for the compatibility of domestic slavery with true religion at this period.

I shall in my next produce still further evidence from the writings of this excellent witness, Pope St. Gregory the Great, in whose honour the present Pontiff chose the name that he so worthily bears.

I have the honour to be, sir,
Respectfully, &c.
† JOHN, *Bishop of Charleston.*

Charleston, S. C., December 22, 1840.

LETTER X.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—Before I proceed farther, it may be useful, if not necessary, to advert to the laws of the Roman empire respecting Jews and Christians, and also respecting pagans and Christians, and several of the early sects and Catholics, so far as they regarded slavery. But as the basis of the law should be known, that we may properly learn its nature, it is fit that we should consider how the slave was treated.

The Jew and the Christian were unfortunately in opposition from the very origin of Christianity. The first persecutors of the Christians were the relatives of the first Christians; the death of the Saviour and the martyrdom of Stephen, the imprisonment of Peter, the mission of Saul to Damascus, and a variety of other similar facts, exhibit to us in strong relief the unfortunate spirit of hatred which caused not merely separation, but enmity. The destruction of Jerusalem, the captivity of the once-loved people who preserved the early records of revelation, and the increase of the Christian religion, even under the swords and the gibbets of its persecutors, only increased and perpetuated this feeling.

The pride of the gentile ridiculed what he denominated superstition: whilst he smote the believer whom he mocked, he bowed before the idol of paganism. The early heresies of those who professed the Christian name, but separated from Christian unity, sprung generally from the efforts to destroy the mysterious nature of the doctrine of the Apostles, and to explain it by the system of some gentile philosopher, such as Manes or Plato, or to modify it by superinducing some Judaic rite or principle. The Jew, the gentile, and the heretic equally felt elevated by his imagined superiority over the faithful follower of the doctrine of the Galilean, as the Saviour was called. Thus the sword of the persecutor, the scoff of ridicule, and the quibbling of a false philosophy, were all employed against the members of the universal church; and amongst those who were by their situation the most exposed to suffering, were the unfortunate Christian slaves of the enemies of the cross. Even they who belonged to the faithful had peculiar trials, because frequently in times of persecution masters desirous of obtaining protection, without actually sacrificing to idols, compelled their servants to personate them in perpetrating the crime, as is evident from many documents. I may name one, Can. v: of Peter of Alexandria—*Τοῖς δε δούλοις.*

They were frequently circumcised, even against their will, by the Jewish owners. Can. ii. of Nice I: (Arab. 84), "Si quem servorum circumciderunt."

They were frequently mutilated by the

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infidel master. (*Ibid.*) They were also exposed to the continued hardships and enticements of owners who desired to make them proselytes, as may be seen in various records.

It was, therefore, at an early period after the conversion of Constantine, enacted that no one who was not a Christian should hold a Christian slave, upon that principle contained in Levit. xxv. 47, 48. We find in the civil Code, lib. i. tit. 10, "Judæus servum Christianum nec comparare debebit, nec largitatis aut alio quocumque titulo consequetur."

"A Jew shall not purchase a Christian slave, nor shall he obtain one by title of gift, nor by any other title."

In a subsequent part of the title the penalty is recited, "non solum mancipii damno mulctetur, verùm etiam capitali sententia punietur." "Not only shall he be mulcted by the loss of the slave, but he shall be punished by a capital sentence."

By a decree of Valentinian III. found after the Theodosian code, and entitled, "De diversis ecclesiasticis capitibus," bearing date 425, Aquileia, vii. of the ides of July, Jews and pagans were prohibited from holding Christian slaves.

Thus by the laws of the empire at this period no Jew or gentile could have any property in a Christian slave. We shall however see that this principle was not adopted until a much later period by the Franks and other nations, and this will account for the diversity of legislation and of judgment which the books of the same period exhibit in various regions.

Another clause of the code was more comprehensive, "Græcus, seu paganus, et Judæus, et Samaritanus, et alius hæreticus, id est, non existens orthodoxus, non potest Christianum mancipium habere." "A Greek or pagan, a Jew, a Samaritan, and any heretic, that is, one not orthodox, cannot hold a Christian slave."

Another provision of the civil code regulated prohibitions of those customs which frequently were used by the Jews to ridicule the Christian ceremonies, lib. i. tit. ix. *De Judæis et Cœlicolis.* This law prohibited to Jews or pagans all rites in imitation of Christian ceremonies, or the use of the cross in any ceremonial of their own.

It was not unusual, at a much later period, for the Jews in some parts of Gaul where they were numerous, and indeed in parts of other regions, to insult the Christians in the holy week during the performance of some of their ceremonies, especially their processions; whence arose very serious riots and tumults, with all their bad consequences: to prevent which, as soon as the Catholics had power, they enacted laws of restraint, one of which is Canon xxx. of the third Council of Orleans, 538.

"Quia Deo propitio sub catholicorum regum dominatione consistimus, Judæi à die cœnæ Domini usque in secundam Sabbati in Pascha, hoc est ipso quatriduo, procedere inter Christianos, neque Catholicis populis se ullo loco, vel quacumque occasione miscere præsumant."

"Because through the mercy of God we are placed under the government of Catholic kings, let the Jews not presume to go among the Christians from Maunday Thursday to Easter Monday, that is, during four days; nor on any account anywhere to mingle with the Christian people."

The first Council of Maçon, on the Saone, in 581, in its Canon xiv. quotes the law of King Childebert for this prohibition, and states the reason, whilst it gives the prohibition a greater extent: "Per plateas aut forum, quasi insultationis causâ deambulandi licentia denegetur." "Let them not have liberty of walking through the streets or the market for the purpose of insult."

Childebert died in 558.

I have thought it necessary to advert to these facts, and thus to state the law, to show the ground and the object of several enactments and judgments that will appear in my subsequent inquiry, and to show the various causes that led to modify slavery itself. I could have easily gone into more references, but this, I hope, will suffice.

We have, in a letter of Pope St. Gregory the Great, to Libertinus the prefect of Sicily, evidence of the manner in which one of the Jews violated both the enactments of the civil code, viz., that which forbade the interference with the religious rites of Christians and that which rendered the Jew incapable of holding Christian slaves. The case into which he orders an inquiry was that of a man who, though of the Jewish nation, appears rather to have attempted the establishment of a new sect, or the mockery of Christianity, than the proselyting to the Jewish observances; for the Jewish ceremonial did not recognise such worship as he sought to introduce.

It must also be observed that at this period the authority of Gregory over Sicily was not, as at present, merely spiritual. He had a temporal supervision, if not a full sovereignty, over the island.

The document is Ep. xxxvii. lib. ii. indict. xi.

"Gregorius Libertino Præfecto Siciliæ.

"De præsumptione Nasæ Judæi, qui al-

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tare nomine B. Heliæ construxerat, et de mancipiis Christianis comparatis.

"Ab ipso administrationis exordio, Deus vos in causæ suæ voluit vindicta procedere, et hanc vobis mercedem propitius cum laude servavit. Fertur siquidem quòd Nasas quidam sceleratissimus Judæorum, sub nomine beati Heliæ altare puniendâ temeritate construxerit, multosque illic Christianorum ad adorandum sacrilegâ seductione decepit. Sed et Christiana, ut dicitur, mancipia comparavit, et suis ea obsequiis ac utilitatibus deputavit. Dum igitur severissimè in eum pro tantis facinoribus debuisset ulcisci, gloriosus Justinus medicamento avaritiæ, ut nobis scriptum est, Dei distulit injuriam vendicare. Gloria autem vestra hæc omnia districtâ examinatione perquirat: et si hujusmodi manifestum esse repererit, ita districtissime ac corporaliter in eundem sceleratum festinet vindicare Judæum; quatenus hâc ex causâ et gratiam sibi Dei nomine conciliet, et his se posteris pro suâ mercede imitandum monstret exemplis. Mancipia autem Christiana, quæcumque eum comparasse patuerit, ad libertatem, juxta legum præcepta, sine omni ambiguitate perducite, ne, quod absit, Christiana religio Judæis subdita polluatur. Ita ergo omnia districtissimè sub omni festinatione corrigite, ut non solum pro hâc vobis disciplinâ gratias referamus, sed et testimonium de bonitate vestra ubi necesse fuerit, præbeamus."

"Gregory to Libertinus, Prefect of Sicily:

"Concerning the presumption of Nasas, a Jew, who had erected an altar in the name of the blessed Elias; and concerning the procuring of Christian slaves.

"God has willed that, from the very beginning of your administration, you should proceed to the avenging of his cause; and he has mercifully kept this reward for you with praise. It is indeed said that one Nasas, a very wicked man of the Jewish people, has, with a rashness deserving punishment, constructed an altar under the name of the blessed Elias, and deceitfully and sacrilegiously seduced many Christians thither for adoration. It is also said that he has procured Christian slaves, and put them to his service and profit. It has also been written to us, that the most glorious Justin, when he ought to have most severely punished him for such crimes, has, through the soothing of his avarice, put off the avenging of this injury to God.

"Do you, glorious sir, most closely examine into all the premises; and if you shall find the allegations evidently sustained, hasten to proceed most strictly to have bodily justice done upon this wicked Jew, so as to procure for yourself the favour of God in this case, and to exhibit for your reward, to those who will come after us, an example for imitation. But, farther, do you carry through, according to the prescriptions of the laws, to their liberty, without any cavilling, every and any Christian slaves that it may be evident he procured, lest, which God forbid, the Christian religion should be degraded by subjection to the Jews.

"Therefore, do all this correction most exactly and quickly, that you may not only have our thanks for preserving discipline, but that we may, when opportunity offers, give you proof of our recognition for your goodness."

I have before, in Letter VII., quoted the thirty-first canon of the fourth Council of Orleans, to show that the penalty of forfeiture of the slave was enacted by the council, necessarily with the consent and by the authority of King Childebert; for only the civil power could make such a law when a Jewish owner attempted to make a proselyte of that slave. This shows, that, at that period, the laws of the Franks allowed the Jews to possess Christian slaves.

The canon xxx. of the same council, to which I also alluded in the same letter, is the following:

"Cum prioribus canonibus jam fuerit definitum, ut de mancipiis Christianis, quæ apud Judæos sunt; si ad ecclesiam confugerint, et redimi se postulaverint, etiam ad quoscumque Christianos refugerint, et servire Judæis noluerint, taxato et oblato a fidelibus justo pretio, ab eorum dominio liberentur, ideo statuimus, ut tam justa constitutio ab omnibus Catholicis conservetur."

"Whereas, it has been decreed by former canons, respecting the Christian slaves that are under the Jews, that if they should fly to the church, or even to any Christians, and demand their redemption, and be unwilling to serve the Jews, they should be freed from their owners upon a fair price being assessed by the faithful and tendered for them: we therefore enact that this, so just a regulation, shall be observed by all Catholics."

Thus it is evident, that at this period, 541, in this province and kingdom the Jew had a good title to his Christian slave, and could not be deprived of him except by law, or for value tendered,—and this was acknowledged by the Council.

The reference to former canons is principally to the thirteenth of the third Council of Orleans, to which I alluded in my Letter VI.

The first Council of Maçon was assem-

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bled at the request of King Guntram or Goutran, one of the sons of Clotaire I., to whom the division of Orleans was left upon the death of his father in 561. This assembly was held in 581. The portions of its canons which regarded temporalities had their sanction from the civil authority of the monarch.

The sixteenth canon is the following:

"Et licet quid de Christianis, qui aut captivitatis incursu, aut quibuscumque fraudibus, Judæorum servitio implicantur, debeat observari, non solum canonicis statutis, sed et legum beneficio pridem fuerit constitutum: tamen quia nunc ita quorumdam querela exorta est, quosdam Judæos, per civitates aut municipia consistentes in tantam insolentiam et proterviam prorupisse, ut nec reclamantes Christianos liceat vel pretio de eorum servitute absolvi. Idcirco præsenti concilio, Deo auctore, sancimus, ut nullus Christianus Judæo deinceps debeat servire; sed datis pro quolibet bono mancipio xii., solidis, ipsum mancipium quicumque Christianus seu ad ingenuitatem, seu ad servitium, licentiam habeat redimendi: quia nefas est, ut quod Christus dominus sanguinis effusione redemit persecutorum vinculus maneant irretiti. Quod si acquiescere his quæ statuimus quicumque Judæus noluerit, quamdiu ad pecuniam constitutam venire distulerit, liceat mancipio ipsi cum Christianis, ubicumque voluerit habitare. Illud etiam specialiter sancientes, quod si qui Judæus Christianum mancipium ad errorem Judaicum convictus fuerit persuassisse, ut ipso mancipio careat, et legandi damnatione plectetur."

"And although the mode of acting in regard to Christians who have been entangled in the service of the Jews by the invasions for making captives, or by other frauds, has been regulated heretofore not only by canonical enactments, but also by favour of the civil laws; yet because now the complaint of some persons has arisen, that some Jews dwelling in the cities and towns have grown so insolent and bold that they will not permit the Christians demanding it to be freed, even upon the ransom of their service: wherefore, by the authority of God, we enact by this present act of Council, that no Christian shall henceforth lawfully continue enslaved to a Jew; but that any Christian shall have the power of redeeming that slave, either to freedom or to servitude, upon giving for each good slave the sum of twelve shillings (solidum): because it is improper that they whom Christ redeemed by the shedding of his blood, should continue bound in the chains of persecutors. But if any Jew shall be unwilling to acquiesce in these enacted provisions, it shall be lawful for the slave himself to dwell where he will, with Christians, as long as the Jew shall keep from taking the stipulated money. This also is specially enacted, that if any Jew shall be convicted of having persuaded his Christian slave to the adoption of Jewish error, he shall be deprived of the slave, and amerced to make a gift."

Thus, it was only at this period that we find any of the laws of the Franks introducing the right of a Christian to refuse service to a Jew. This, however, was not the case in all the territory; for that over which Guntram ruled was but a fourth part of the empire of this people.

We now proceed to examine another document of Pope Gregory the Great respecting Etruria. The town of Luna was in the Ligurian region, at the mouth of the river Macra, now La Magra. In or about 856, it became too inconsiderable to be continued a bishop's see, and its diocess was united to the territory belonging to the see of Sarzana, about five miles higher up the river.

The following is Ep. xxi., lib. iii., indic. xii.:

"Gregorius, *Venantio Episcopo Lunensi*:

"Quod Judæi non possunt Christiana habere mancipia: sed coloni et originarii pensiones illis præbere debent.

"Multorum ad nos relatione pervenit, a Judæis in Lunensi civitate degentibus, in servitio Christiana detineri mancipia; quæ res nobis tanto visa est asperior, quanto ea fraternitati tuæ patientia operabatur. Oportebat quippe te respectu loci tui, atque Christianæ religionis intuitu, nullam relinquere occasionem, ut superstitioni Judaicæ, simplices animæ non tam suasionibus, quam potestatis jure quodammodo deservirent. Quamobrem hortamur fraternitatem tuam, ut secundum piissimarum legum tramitem, nulli Judæo liceat Christianum mancipium in suo retinere dominio. Sed si qui penes eos inveniuntur, libertas eis tuitionis auxilio ex legum sanctione servetur. Hi vero qui in possessionibus eorum sunt; licet et ipsi ex legum districtione sint liberi; tamen quia colendis eorum terris diutius adhæserunt, utpote conditionem loci debentes, ad colenda quæ consueverant rura permaneant, pensionesque prædictis viris præbeant: et cuncta quæ de colonis vel originariis jura præcipiunt, peragant, extra quod nihil eis oneris amplius indicatur. Quodsi quisquam de his vel ad alium migrare locum, vel in obsequio suo retinere voluerit, ipse sibi reputet, qui jus colonarium temeritate suâ, jus vero juris

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dominii sui severitate damnavit. In his ergo omnibus ita te volumus solerter impendi, ut nec direpti gregis Pastor reus existas, nec apud nos minor æmulatio fraternitatem tuam reprehensibilem reddat."

"GREGORY *to Venantius, Bishop of Luna:*

"That Jews should not have Christian slaves,—but that colonists, and those born on their lands, should pay them pensions.

"We have learned, by the report of many persons, that Christian slaves are kept in servitude by the Jews dwelling in the city of Luna, which is the more grievous to us, as it has been caused by the remissness of you our brother. For it was becoming you, as well by reason of the place you hold, as from your regard for the Christian religion, not to allow the existence of any occasion by which simple souls may be subjected to the Jewish superstition—not only by the force of persuasion, but by a sort of right arising from power. Wherefore we exhort you, our brother, that, according to the regulation of the most pious laws, it should not be permitted to any Jew to keep a Christian slave under his dominion; and that, if any such be found under them, the liberty of such should be secured by the process of law, and the aid of protection.

"And as regards those who are on their lands, though, by strict construction of law, they may be free,—yet, because they have remained a long time in the cultivation of the soil, as bound to the condition of the place, let them remain to till the lands as they have used to do, and pay their pension to the aforesaid men; and let them do all that the laws require of colonists or persons of origin. Let no additional burden, however, be laid on them.

"But, should any one of these desire to migrate to another place, or should he prefer remaining in his obedience, let the consequences be attributed to him who rashly violated the colonial rights, or who injured himself by the severity of his conduct towards his subject.

"It is our wish that you be careful so to give your attention to all these matters, as not to be the guilty pastor of a plundered flock,—nor that your want of zeal should compel us to reprehend our brother."

It may not be amiss now, viewing this document, to bring more closely under our eye the law of the empire which was in force through Italy and Sicily.

1. Slaves who were Christians could not be held by those who were not Christians.

2. It being unlawful for others than Christians to hold them, these others could have no property in them; the persons so held were entitled to their freedom.

3. The church was the guardian of their right to freedom, and the church acted through the bishop.

4. Consequently it was the duty, as it was the right, of the bishop to vindicate that freedom for those so unjustly detained.

5. The right and duty of the Pope was to see that each bishop was careful in his charge, and this part of his charge came as much as any other did under the supervision of his natural superior and immediate inspector, and it was the duty of that superior to reprehend him for any neglect.

6. The law of each country was to regulate the duty of the master and slave, and if that law made, as in Italy and its environs it did, the church the proper tribunal for looking to the performance of those duties, any neglect of the church in its discharge would be criminal.

7. Through the greater part of Italy and Sicily, at this period, the Pope was in fact virtually, if not openly and fully, the sovereign, and it was only by his paramount influence that the half-civilized Gothic and Lombard chiefs were kept in any order, and their despotism partially restrained.

They were times of anarchy, between which and the present no analogy exists. The Jews and separatists from the church were very numerous, and on their side, as well as on that of their opposers, passion frequently assumed the garb of religion, and the unfortunate slave was played upon by each. The position of the Pope was exceedingly difficult, for whilst he had to restrain the enemies of the church on one side, he had to correct the excesses of its partisans upon the other. In my next letter I shall exhibit, for the purpose of placing the conduct of the Pope in its proper point of view, some documents calculated to sustain the assertions I have here made.

I shall for the present conclude by giving the substantial distinctions found in the civil law between some classes of those called "conditionati," or "*persons under condition.*"

The "coloni," or "*colonists,*" were persons who were bound to the soil and could not leave it; if the land was sold, they were sold with it, and their descendants were also fastened to the soil. They had the use of the ground upon certain conditions; generally the payment of a certain rent in money, or the giving of a certain proportion of the produce, or a stipulated quantity without regard to proportion. They were distinguished into "originarii," *persons of origin*, that is, born on the ground, or "adscriptitii," *adopted*

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or written to it. The "advena," or *stranger* coming upon the ground and fulfilling the conditions without any special bargain, was prescribed against after thirty years, so that he thereby was legally a colonist without any farther formality. Or if he chose at once to become a colonist, it was done by a written instrument in duplicate between him and the lord of the soil, that is, by a pair of indentures.

In the case of the colonists of Luna it would appear that, if they were not legally prescribed against, there was what the Pope considered to be equitable claim on the part of the Jewish owners of the soil to their services; but that if any one of them chose to use his right of going elsewhere, it must be seen that the original wrong was on the side of the landholder, who sought to bind to his service a person whom the law prevented from being his servant, or the Pope supposed that it would not probably happen that the colonist would use his right of departing if he were not badly used. And therefore, relying on the continuance of kind feelings, he advised the bishop to allow the colonists to continue without the destruction of their legal right of self-deliverance; whilst he required of the prelate the performance of his duty in procuring the release of the slave illegally detained in bondage.

I dwell longer on this epoch, not only because I herein find more ample matter, but because at this period we discover serious alterations which greatly influenced the subsequent policy of Europe.

I have the honour to be, sir,

Respectfully, &c.,

† JOHN, *Bishop of Charleston.*

Charleston, S. C., Jan. 14, 1841.

LETTER XI.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I stated in my last, that I felt it necessary in order to set the character of Pope St. Gregory the Great in a proper light, to give some documents which would show that he was as ready to restrain the excesses of the partisans of the church, and to protect the Jews, where they deserved protection, as he was to vindicate for the Christian slave his legal right to freedom, against the Jew that attempted to hold him irregularly in bondage.

I shall first exhibit his letter to an agent of the Holy See in Sicily. It is found Lib. vii. Indic. ii. Ep. lix.

"GREGORIUS Fantino defensori Panormitano:

"*De synagogis Judæorum irrationabiliter occupatis.*

"Ante aliquantum tempus Victori fratri et coepiscopo nostro scripsimus, ut quoniam quidam Judæorum datâ nobis petitione questi fuerunt, Synagogas in civitate Panormitanâ positas cum hospitiis suis fuisse ab eo irrationabiliter occupatas, quousque causa utrum justè factum esset, potuisset agnosci, ab eorum se suspenderet congregatione: ne forte in eorum solâ voluntate versari præjudicium videretur. Et quidem nos prædictum fratrem nostrum incongrùe aliquid egisse, sacerdotii ejus respectus facile credere non permisit. Sed quia Salerio notario nostro, qui illic præsens postea inventus est, renunciante comperimus, nullam extitisse causam pro quâ potuissent rationabiliter occupari, atque eas esse inconsultè ac temerè consecratas: idcirco experientiæ tuæ precipimus, ut quod semel consecratum est, Judæis ultra non valet restitui, quàntuum filiis gloriosio Venantio Patricio et Urbicio Abbate, synagogæ ipsæ cum his hospitiis quæ sub ipsis sunt, vel earum parietibus cohærent, atque hortis ibi conjunctis æstimatæ fuerint, studii tui sit, ut præfatus frater et coepiscopus noster dare pretium debeat; quatenus hoc quod occupari fecit, in jus ecclesiæ ipsius valeat provenire, et illi opprimi, aut aliquam pati injustitiam nullo modo videantur. Codices vero vel ornamenta pariter ablata quærantur. Quæ si manifestè tulta sunt, et ipsa sine ambiguitate aliquâ volumus restitui: quia sicut illis quidquam in synagogis suis facere, ut et ipsi priùs scripsimus, ultra quàm lege decretum est, non debet esse licentia; ita eis contra justitiam et æquitatem nec præjudicium, nec aliquod debet inferri dispendium."

"GREGORY to Fantinus the Proctor at Palermo:

"*Concerning the Synagogues of the Jews unreasonably taken possession of.*

"We have some time back written to Victor our brother and fellow bishop; because some Jews in their petition to us complained that he had unreasonably taken possession of their synagogues with their dwellings thereto attached in the city of Palermo, that he should suspend using them for divine offices (*congregatione*) until the case should be examined so as to ascertain whether this was justly done, lest it may seem that the injury was done to them by mere wilfulness. And indeed the respect in which we hold his priesthood did not permit us easily to believe that our

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aforesaid brother had done anything unbecoming.

"But since we have found by the report of Salerius, our notary, who has been there subsequently, that there existed no reasonable cause for their being taken away: and that they were indiscreetly and rashly consecrated: we therefore command you, a man of experience, because that which has been once consecrated cannot any more be restored to the Jews; that it be your duty to see what amount shall be assessed by our sons Venantius Patrick and the Abbot Urbicius, as the value of the synagogues themselves together with the dwellings that are under them or united to their walls, and the gardens belonging thereto; so that our aforesaid brother and fellow-bishop should give for them that price; so that what he caused to be taken should become the property of the church, and that they (the Jews) should by no means appear to suffer any injustice or be oppressed. Let the books and ornaments that were taken away be sought after: which, if they have been evidently taken away, we desire to be restored without any quibbling: and as we have before written that no license should be given them to do in the synagogues anything beyond what is regulated by law, so that on the other hand, there should not be done to them any damage or prejudice in violation of either justice or of equity."

The above document shows that if the bishop in Etruria was censured for not doing his duty to the Christians illegally in bondage by Jews, the same Pope was equally ready to censure another bishop, who in Sicily, treated the Jews unjustly, and to order not only compensation for their loss, but restitution of such portion of their goods as could be returned, and protection against illegal or unjust acts.

The letter to which Pope St. Gregory refers, is found in Lib. vii. Ind. 1. Epist. xxvi. and is the following:

"Gregorius, Victori Episcopo Panormitano. *De Judæis non opprimendis injustè.*—"Sicut Judæis non debet esse licentia quidquam in synagogis suis ultrà quàm permissum est a lege præsumere: ita in his quæ iis concessa sunt, nullum debet præjudicium sustineri. Quum autem nobis in hâc urbe Romanâ habitantes Hebræi pro his qui Panormi degunt, conquesti sunt, data vos ab eis petitio quæ in subditis tenetur informat. Si igitur queremonia eorum veritate fulcitur; oportet ut fraternitas vestra, legis serie diligenter inspectâ, ita eis quidquid hâc de decretum est, custodire debeat ac servare, ut nec ipsa aliquid injustum facere nec illi pati præjudicium videantur. Si verò est aliquid quod ad restituendum ea quæ sunt postulata rationabiliter possit obsistere, judices à partibus eligantur, qui ea quæ æquitati conveniunt valeant definire. Quod si fortè illic contentio ipsa finiri nequiverit; quatenus sine vestrâ invidiâ, quæ amica justitiæ visa fuerint decernantur. Quousque ergo causa ipsa finem accipiat, à consecratione locorum quæ ablata dicuntur, fraternitas se vestra suspendat."

"Gregory to Victor, Bishop of Palermo.

"*Of not unjustly oppressing the Jews.*—As it is not proper that license should be given to the Jews to presume to do anything in their synagogues beyond what is permitted by law: so in those things which are conceded to them they should suffer no prejudice.

"The accompanying petition, which has been presented to us by Hebrews dwelling in this city of Rome, on behalf of those who live at Palermo, will show you of what they complain. If, then, their complaints be founded on truth, it is fit that you, our brother, having diligently looked into the provisions of the law, should keep and observe, in their regard, all that is therein decreed, so that you should appear to do nothing unjust, and they not to suffer any prejudice. If, then, there be any reasonable ground of objection to restoring those things which are demanded, let judges be chosen by each of the parties, to determine what shall be according to equity. But if, perchance, the litigation cannot be thus terminated, (the cause must come up to ourself,)* so that what shall appear befitting justice, may be decreed without any suspicion being cast upon you. Meantime, until the cause shall be decided, do you, our brother, suspend any process to consecrate what is alleged to have been taken away."

The next letter in the same book is one to the same proctor, and shows the manner in which the Pope's tribunal was equally open to the Jew as to the Christian.

Epist. LX.

"Gregorius, Fantino defensori:

"*De Jamno Judæo.*—Indicavit nobis Jamnus Judæus præsentium portitor, navem suam atque res suas Candidum defensorem nostrum cum aliis creditoribus occupasse, atque eas pro creditâ quam dederant pecuniâ venumdedisse, et a cunctis debitis cautionibus restitutis solùm apud se præfatum defensorem obligationis chirographum tenuisse, et sæpiùs se supplicantem ideo reddere

* There has been some omission in transcribing the original at this place.—Ed.

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contempsisse; quia, ut ait, sors debiti est satisfacta. Experientiæ ergo tuæ præcipimus, ut cum omni subtilitate curet addiscere: et si ita repererit, districtâ compulsione perurge; quàtenus omni morâ postpositâ, cautionem prædicti portitoris restituat. Ita ergo sollicitudo tua studeat, ut denùo ad nos hac de causâ querela non redeat."

"GREGORY to the Proctor Fantinus:

"*Concerning Jamnus the Jew.*—The Jew Jamnus, the bearer of these presents, has exhibited to us that our proctor Candidus, with other creditors, have seized upon his ship and chattels, and have sold them for money that they lent to him, and that the aforesaid proctor kept back from amongst all the other securities that he restored to him, his written bond, and that he treated with contempt the several supplications which this man made for its return, upon the allegation that the principal of the debt was satisfied. We therefore command you, experienced sir, that you take heed to learn the facts with all exact sharpness; and if you shall find them as stated, press with very strict compulsion, so that without any delay whatever the proctor shall restore the security of the aforesaid bearer. So let your careful industry take heed that no complaint comes back again to us upon this case."

I shall now exhibit a document, showing not only the Pope's own disposition to avoid using forcible means to procure a seeming conversion to the church, but also proving very manifestly the care which the Jews had to prevent any improper efforts at proselytism to Christianity, and their success in the applications which they for this purpose made to the Holy See.

It is a letter to the Archbishop of Arles, in the southeast part of France, and to the Bishop of Marseilles, who was one of his suffragans. Both were men remarkable for piety and zeal. The letter is found in lib. i. indi. ix., Ep. xlv.

"GREGORIUS, Virgilio Arelatensi et Theodoro Episcopo Massiliæ Galliarum.

"Ne Judæi vi baptizarentur, sed ad fidem amplectendam moneantur.

"Scribendi ad fraternitatem vestram reddendique debitæ salutationis alloquium, licet nullâ congrui temporis vel personarum esset occasio: actum est ut uno in tempore et quæ decebant de dilectione proximitatis fraternæ persolverem, et quorundam querimoniam, quæ ad nos perlata est, quomodo errantium animæ salvandæ sint, non tacerem. Plurimi siquidem Judaicæ religionis viri in hac provinciâ commorantes, ac subinde in Masiliæ partes pro diversis negotiis ambulantes, ad nostram perduxère notitiam multos consistentium in illis partibus Judæorum, vi magis ad fontem baptismatis quam prædicatione perductos. Nam intentionem quidem hujuscemodi et laude dignam censeo, et de Domini nostri dilectione descendere profiteor. Sed hanc eandem intentionem, nisi competens Scripturæ sacræ comitetur effectus timeo ne aut mercedis opus exinde non proveniat, aut juxta aliquid, animarum, quas eripi volumus, quod absit, dispendia subsequantur. Dum enim quispiam ad baptismatis fontem non prædicationis suavitate, sed necessitate pervenerit, ad pristinam superstitionem remeans, inde deteriùs moritur, unde renatus esse videbatur. Fraternitas ergo vestra hujusmodi homines frequenti prædicatione provocet: quatenus mutare veterem vitam de doctoris suavitate desiderent. Sic enim et intentio nostra recte perficitur, et conversi animus ad priorem denùo vomitum non mutatur. Adhibendus est ergo illis sermo, et qui errorum in ipsis spinas urere debeat, et prædicando quod in his tenebrescit illuminet; ut pro his admonitione frequenti mercedem fraternitas vestra capiat, et eos quantum Deus donaverit, ad novæ regenerationem vitæ perducat."

"GREGORY to Virgil of Arles, and Theodore, Bishop of Marseilles in Gaul:

"That Jews should not be baptized by compulsion, but should be warned to embrace the faith.

"Although there should be no occasion of fitting times or personal affairs for writing to our brethren, and of returning their address of becoming salutation, yet it so happens that we can at the same time repay what is due for the love of your fraternal relationship, and not be silent regarding the complaint of certain persons which has been laid before us, as to the manner in which the souls of those who err may be saved.

"Indeed, several men of the Jewish religion, who dwell in this province, and who frequently journey to parts of Marseilles upon business, have brought to our cognizance that many of the Jews dwelling there are frequently led to the baptismal font, more by violence than by preaching.

"I consider the intention of those concerned to be indeed praiseworthy, and I admit that it was derived from the love of our Lord; but I fear that, unless a sufficient working of the spirit of the holy Scripture should accompany this intention, that either a work of merit will not flow therefrom, or that in some measure, which God forbid, it would be followed by the loss of those souls that we would desire to save. For when any person comes to the fountain of baptism, not by the sweetness of preaching, but by compulsion, returning to his former superstition, he dies in a worse way by

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means of that from which he seemed to receive regeneration. Do you, our brethren, then urge these men by frequent preaching, so that they may desire to change their old life rather by the persuasion of the teacher. So will our intention be well made perfect, and the disposition of the convert not be turned to his former vomit. There should be used to them, then, such a form of speech as would burn up the thorns of their errors, and by the preaching illuminate what is dark in them; so that you, our brethren, may obtain a reward for your frequently admonishing them, and that God may, according to his bounty, bring them to the regeneration of a new life."

Besides the above, several similar are found amongst his epistles. Such as lib. i., ind. ix., Ep. xxxiv., to Peter, Bishop of Terracina, wherein, upon the complaint of Joseph, a Jew, that the bishop prevented the Jews from celebrating their festivities in a particular place, but consented to their celebration in a different location, and then expelled them from this second, the Pope reproves him for this unjust and unkind proceeding, and shows him how much more becoming and useful it would be to treat those who are estranged from Christian truth with mildness and affection. To the same purport is his Ep. xv., lib. xi., indic. vi., to Paschasius, Bishop of Naples, desiring that he would not permit any molestation of the Jews of that city, who complained to the Pope that they were prevented from the celebration of their festivals in the manner that they and their fathers had been accustomed to have them solemnly observed. Gregory tells them that too frequently this interference is the effect of human passion, and not the offspring of zeal. Nam quicumque aliter agunt, et eos sub hoc velamine à consuetâ ritûs sui volunt cultura suspendere suas, illi magis quàm Dei causas probantur attendere.

This spirit of affection and persuasion breathes also in his letter to the proctor Faustinus, lib. vii., ind. 1, Ep. xxiv., in which he gives directions how he is to act regarding a number of Jews in the vicinity of Agrigentum, or Girgenti, in Sicily, concerning whose good dispositions Domnina, the Abbess of St. Stephen's monastery in that region, had written to him.

The truth of his observation respecting human passion assuming the garb of zeal, is clearly sustained by the contents of one of his letters to Januarius, Bishop of Cagliari, in Sardinia, lib. vii., ind. 2, Ep. v., wherein he admonishes him to apply a proper remedy to the misconduct of one Peter, who, being newly converted from Judaism to Christianity, gave great scandal on Easter Sunday, the very day succeeding that of his baptism. Leading a mob of ill-conducted persons, contrary to the advice and remonstrances of the good and the religious, this fanatic, or rogue, whichever he was, rushed to the synagogue, erected in it a cross and an image of the Blessed Virgin, and hung up there his own baptismal garment, though the bishop had, from a suspicion of his character, forewarned him against insulting those whom he left.

The Jews of Cagliari sent a deputation to complain of this to the Pope, and the deputies carried with them the certificate of the governor, of the military commander, and of other noble persons, showing the truth of the facts charged. The letter of the Pope requires that the Jews shall receive their synagogue and legal protection, that this Peter shall be restrained, his associates censured, the Catholics admonished, the cross, the image, and the robe be removed, and their synagogue left to the Jews. The bishop is praised for his opposition to the misconduct, and kindness and charity are inculcated.

In book xii., indic. vii., Epist. xviii., we have a letter of this Pope to two bishops, Bacauda and Agnellus, commissioning them to examine the site of a synagogue at Terracina, for the possession of which the Jews had petitioned that they might have the papal sanction. It was represented to him that it was so near the church, that their chaunting was heard from one in the other. He desires that the aforesaid bishops, together with the Bishop of Terracina, shall, if such be the case, find another convenient site within the town, where the Jews could observe their solemnities, and forbids that they should on any account be molested or burdened, but that in all things they should have ample justice, according to the Roman law, but that they be not permitted to have Christian slaves.

I shall now exhibit a document showing the manner in which, by preventing the extensive introduction of even pagan slaves by the Jews, the increase of slavery was restrained. It gave to every Jewish or pagan slave of a Jew, in those places where the law was in force, the strongest inducement to make a profession of the Christian religion, whether in sincerity or in hypocrisy. It is found in lib. v. indic. xiv. Epist. xxxi.

"Gregorius, Fortunato Episcopo Neopolitano."

"Ne mancipia quæ Christianam fidem suscipere volunt, Judæis venundentur: sed pretium à Christiano emptore percipiant."

"Fraternitati vestræ ante hoc tempus scripsimus, ut hos qui de Judaicâ superstí-

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tione ad Christianam fidem Deo aspirante venire desiderant, Dominis eorum nulla esset licentia venumdandi: sed ex eo quo voluntatis suæ desiderium prodidissent, defendi in libertatem per omnia debuisseat. Sed quia quantum cognovimus, nec voluntatem nostram, nec legum statuta subtili scientes discretione pensare, in paganis servis hâc se non arbitrantur conditione constringi: fraternitatem vestram oportet de his esse solicitam, et si de Judæorum servitio non solum Judæos, sed etiam quisquam paganorum fieri voluerit Christianus, postquam voluntas ejus fuerit patefacta, nec hunc sub quolibet ingenio vel argumento cuipiam Judæorum venundandi facultas sit: sed is qui ad Christianam converti fidem desideret, defensione vestrâ in libertatem modis omnibus vindicetur. Hi vero quos hujusmodi oportet servos ammittere, ne forsitan utilitates suas irrationabiliter æstiment impediri, sollicitâ vos hæc convenit consideratione servare: ut si paganos, quos mercimonii causâ, de externis finibus emerint, intra tres menses dum emptor cui vendi debeant, non invenitur, fugere ad ecclesiam forte contigerit, et velle se fieri dixerint Christianos, vel etiam extra ecclesiam hanc talem voluntatem prodederint, pretium ibi à Christiano scilicet emptore percipiant. Si autem post præfinitos tres menses quisquam hujusmodi servorum velle suum edixerit, et fieri voluerit Christianus, nec aliquis eum postmodum emere, nec dominus quâlibet occasionis specie audeat venundare, sed ad libertatis procul dubio præmia perducatur: quia hunc non ad vendendum, sed ad serviendum sibi intelligitur comparasse. Hæc igitur omnia fraternitas vestra ita vigilanter observet, quatenus ei nec supplicatio quorumdam valeat, nec persona surripere."

"Gregory to Fortunatus, Bishop of Naples:"

"That slaves who wish to embrace the Christian faith must not be sold to Jews, but (the owners) may receive a price from a Christian purchaser.

"We have before now written to you, our brother, that their masters should not have leave to sell those who, by the inspiration of God, desire to come from the Jewish superstition to the Christian faith; but that from the moment they shall have manifested this determination they should be, by all means, protected to seek their liberty. But, as we have been led to know some persons, not exactly and accurately giving heed to our will, nor to the enactments of the laws, think that, as regards pagan slaves, this law does not apply, it is fit that you, our brother, should be careful on this head; and if amongst the slaves of the Jews not only a Jew, but any of the pagans should desire to become a Christian, to see that no Jew should have power to sell him under any pretext, or by any ingenious device, after this his intention shall have been made known; but let him who desires to become of the Christian faith have the aid of your defence, by all means, for his liberty.

"And respecting those who are to lose such servants, lest they should consider themselves unreasonably hindered, it is fit that you should carefully follow this rule: that, if it should happen that pagans whom they brought from foreign places for the purpose of traffic, should within three months, not having been purchased, fly to the church and say that they desire to be Christians, or even make known this intention without the church, let the owners be capable of receiving their price from a Christian purchaser. But if, after the lapse of three months, any one of those servants of this description should speak his will and wish to become a Christian, no one shall thereafter dare to purchase him, nor shall his master under any pretext sell him; but he shall unquestionably be brought to the reward of liberty, because it is sufficiently intelligible that this slave was procured for the purpose of service, and not for that of traffic. Do you, my brother, diligently and closely observe all these things, so that you be not led away by any supplication, nor affected by personal regard."

The grounds of the law above given may be partially gathered from the following, which is a letter to a bishop of Catania in Sicily. Lib. v., ind. xiv., Epist. xxxii.

"Gregorius, Leoni Episcopo Catanensi:

"De Samaræis qui pagana mancipia emerunt et circumciderunt.

"Res ad nos detestabilis, et omnino legibus inimica pervenit, quæ si vera est, fraternitatem vestram vehementer accusat, qui eam de minori solicitudine probat esse culpabilem.

"Competimus autem quod Samaræi degentes Catinæ, pagana mancipia emerint, atque ea circumcidere ausu temerario præsumserint. Atque idcirco necesse est, ut omnimodo zelum in hâc causâ sacerdotalem exercens, cum omni hoc vivacitate ac solicitudine studeas perscrutari: et si ita repereris, mancipia ipsa sine morâ in libertatem modis omnibus vindica, et ecclesiasticam in eis tuitionem impende, nec quidquam Dominos eorum de pretio quolibet modo recipere patiaris: qui non solum hoc damno mulctandi, sed etiam aliâ erant pœnâ de legibus feriendi."

"Gregory to Leo, Bishop of Catania:

"Concerning Samaritans (or Jews) who

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purchased pagan slaves and circumcised them.

"Accounts have been brought to us of a transaction very detestable and altogether opposed to the laws, and which, if true, shows exceedingly great neglect on the part of you, our brother, and proves you to have been very culpable.

"We have found that some Jews dwelling at Catania have bought pagan slaves, and with rash presumption dared to circumcise them. Wherefore it is necessary that you should exert all your priestly zeal in this case, and give your mind to examine closely into it with energy and care; and, should you find the allegation to be true, that you should by all means, and without delay, secure the liberty of the slaves themselves, and give them the protection of the church; nor should you suffer their masters, on any account, to receive any of the price given for them, for they not only should be fined in this amount, but they are liable also to suffer such other punishment as the laws inflict."

I shall in my next endeavour to conclude the documentary evidence which I think useful to extract from the mass that is contained in the writings of St. Gregory the Great, and meantime

I have the honour to be, sir,
Respectfully, &c.
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Jan. 20th, 1841.

LETTER XII.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—In my third letter, I showed under the fifth head, that in Judea the creditor could take the children of the debtor, and keep them as his slaves to labour until the debt was paid; and amongst the gentiles this right was not only in existence, but in most cases the child could be subjected to perpetual slavery, and in many instances the debtor himself could thus be reduced to bondage: and in fact, sir, I believe we could easily discover herein the origin of imprisonment for debt.

A serious improvement has been made in this respect, as will be seen by the following document, found in lib. iii., indic. xii., Epist. xliii.

"GREGORIUS, Fantino Defensori:

"De Cosma Syro multis debitis obligato.

"Lator præsentum Cosmas Syrus in negotio, quod agebat, debitum se contraxisse perhibuit, quod et multis aliis et lacrymis ejus attestantibus verum esse credidimus. Et quia 150 solidos debebat, volui ut creditores illius cum eo aliquid paciscerentur: quoniam et lex habet, ut homo liber pro debito nullatenus teneatur, si res defuerint, quæ possunt eidem debito addici, creditores ergo suos, ut asserit, ad 80 solidos consentire possibile est. Sed quia multum est ut a nil habente homine 80 solidos petant, 60 solidos per notarium tuum tibi transmisimus, ut cum eisdem creditoribus subtiliter loquaris, rationem reddas, quia filium ejus quem tenere dicuntur, secundum leges tenere non possunt. Et si potest fieri, ad aliquod minus quam nos dedimus, condescendant. Et quidquid de eisdem 60 solidis remanserit, ipsi trade: ut cum filio suo exinde vivere valeat. Si autem nil remanet, ad eamdem summam debitum ejus incidere stude, ut possit sibi libere postmodum laborare. Hoc tamen solerter age: ut acceptis solidis ei plenariam munitionem scripto faciant."

"GREGORY, to the Proctor Fantinus:

"Of Cosmas, the Syrian, deeply in debt.

"The bearer hereof, Cosmas the Syrian, has informed us that he contracted many debts in the business in which he was engaged. We believe it to be true: he has testified it with many tears and witnesses. And, as he owes 150 shillings, I wish his creditors would make some composition with him. And as the law regulates that no freeman shall be held for a debt, if there be no goods which can be attached for that debt, he says that his creditors may be induced to accept 80 shillings; but it is extravagant on their part to ask 80 shillings from a man who has nothing. We have sent you 60 shillings by your notary, that you may have a discreet conference with his creditors, and explain matters to them, because they cannot legally hold his son whom they are said to keep. And if they will come down to anything less, by your efforts, than the sum that we send, should anything remain of the 60 shillings, give it to him to help to support himself and his son; should nothing be left, exert yourself to have his debt cancelled by that amount sent, so that henceforth he may be free to exert himself for his own benefit. But be careful, in doing this, to get for him a full receipt and discharge in writing for this money that they get."

The law to which the Pope refers, and by which the persons of the unfortunate debtor and his family were protected, is found in Novell. 134, c. 7, and was enacted by Justinian I. in 541.

"*Ne quis creditor filium debitoris pro debito retinere præsumat.*

"Quia verò et hujuscemodi iniquitatem in diversis locis nostræ reipublicæ cognovimus

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admitti, quia creditores filios debitorum præsumunt retinere aut in pignus, aut in servile ministerium, aut in conductionem: hoc modis omnibus prohibemus: et jubemus ut si quis hujusmodi aliquid deliquerit, non solum debito cadat, sed tantam aliam quantitatem adjiciat dandam ei qui retentus est ab eo, aut parentibus, ejus, et post hoc etiam corporalibus pœnis ipsum subdi a loci judice; quia personam liberam pro debito præsumpserit retinere aut locare aut pignorare."

"That no creditor should presume to retain for debt the son of the debtor.

"And because we have known that this sort of injustice has been allowed in several places of our commonwealth, that creditors presume to keep the children of their debtors, either in pledge or in slavish employment, or to hire them out, we by all means forbid all this: and we order that, if any person shall be guilty of any of these things, not only shall he lose the debt, but he shall in addition give an equal sum, to be paid to the person that was held by him, or to the parents of such person: and, beyond this, he shall be subjected to corporal punishment by the local judge, because he presumed to restrain or to hire out, or keep in pledge, a free person."

The ninth chapter of the same enactment prohibits the imprisonment of females for debt, or under process, or in any way under male custody.

The following document will exhibit in some degree the origin of the principle of escheats to be found in slavery. The slave being freed upon certain conditions, if they were not fulfilled the master of course reentered upon his rights. The manumitted slave was sometimes allowed not only freedom, but a certain gift, and often with the condition that, if he had not lawful issue, the gift and its increase by his industry, should revert to the master or his heir. So, in aftertimes, the lord of the soil, or the monarch, gave portions of land to his vassals upon condition of service, and, upon failure of service or of heirs, his land escheated, or went back to the lord of the soil. It is curious that, in many of our republics, this slavish principle has extensive application.

The following document is found in lib. v., indic xiv., Epist. xii.

"Gregorius, Montanæ et Thomæ:

"Libertatem dat, et eos cives Romanos efficit.

"Cum Redemptor noster totius conditor creaturæ ad hoc propitiatus humanam voluerit carnem assumere, ut divinitatis suæ gratia, dirupto quo tenebamur captivi vinculo servitutis, pristinæ nos restitueret libertati: salubriter agitur, si homines quos ab initio natura liberos protulit, et jus gentium jugo substituit servitutis, in eâ naturâ in quâ nati fuerant, manumittentis beneficio, libertati reddantur. Atque ideo pietatis intuitu, et hujus rei consideratione permoti, vos, Montanam atque Thomam famulos sanctæ Romanæ Ecclesiæ, cui, Deo adjutore, deservimus, liberos ex hac die, civesque Romanos efficimus, omneque vestrum vobis relaxamus servitutis peculium. Et quia tu Montana animum te ad conversionem fateris appulisse Monachicam: idcirco duas uncias, quas tibi quondam Gaudiosus presbyter per supremæ suæ voluntatis arbitrium institutionis modo noscitur reliquisse, hac die tibi donamus, atque concedimus omnia scilicet monasterio Sancti Laurentii cui Constantina Abbatissa præest, in quo converti Deo miserante festinas, modis omnibus profutura. Si quid vero de rebus suprascripti Gaudiosi te aliquomodo celasse constituerit, id totum ecclesiæ nostræ juri sine dubio mancipetur. Tibi autem suprascripto Thomæ quem pro libertatis tuæ cumulo etiam inter notarios volumus militare, quinque uncias, quas præfatus Gaudiosus presbyter per ultimam voluntatem hereditario tibi nomine dereliquit, simul et sponsalia, quæ matri tuæ conscripserat, similiter hac die per hujus manumissionis paginam donamus, atque concedimus, eâ sane lege, atque conditione subnexâ, ut si sine filiis legitimis, hoc est, de legitimo susceptis conjugio, te obire contigerit, omnia quæ tibi concessimus, ad jus Sanctæ Romanæ Ecclesiæ sine diminutione aliquâ revertantur. Si autem filios de conjugio, sicut diximus, cognitos lege susceperis, eosque superstites relinqueris, earumdem te rerum dominum sine quadam statuimus conditione persistere, et testamentum de his faciendi liberam tibi tribuimus potestatem. Hæc igitur, quæ per hujus manumissionis Chartulam statuimus, atque concessimus, nos successoresque nostros, sine aliquâ scitote refragatione servare. Nam justitiæ, ac rationis ordo suadet, ut qui sua a successoribus desiderat mandata servari, decessoris sui proculdubio voluntatem et statuta custodiat. Hanc autem manumissionis paginam Paterio notario scribendam dictavimus, et propriâ manu una cum tribus presbyteris prioribus, et tribus Diaconis pro plenissimâ firmitate subscripsimus vobisque tradidimus. Actum in urbe Româ."

"Gregory to Montana and Thomas.

"He emancipates them, and makes them Roman citizens.

"Since our Redeemer, the maker of every creature, mercifully vouchsafed to take human flesh, that breaking the chain by which we were held captive, he may,

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by the grace of his divinity, restore us to our first liberty, it is then salutary that they whom he at first made free by nature, and whom the law of nations subjected to the yoke of slavery, should in the nature in which they were born be restored to liberty by that kindness of their emancipator; and therefore, moved by this consideration, and in respect to piety, we make you, Montana and Thomas, slaves of the holy Roman Church, in whose service we are by God's help engaged, from this day forward free and Roman citizens. And we release to you all your allowance of slavery.

"And because you, Montana, have declared that it was your wish to enter into the monastic state, we give and grant to you this day two ounces, which it is well known were formerly left as a legacy to you for inheritance by the priest Gaudiosus, to be by all means available to the monastery of St. Lawrence, over which Constantina is superioress, and into which you desire anxiously by God's mercy to be admitted. But should it appear that you have concealed any of the effects of the said Gaudiosus, the entire thereof doubtless is by right for the service of our church.

"But to you, the said Thomas, whom, in addition to the bestowal of freedom, we desire to be enrolled in service amongst our notaries, we likewise this day give and grant, by this charter of manumission, five ounces which the same Gaudiosus the priest left to you by name in his last will, and the portion which he assigned for your mother, but upon this ground and condition well attached, that, should you die without issue by lawful marriage, all those goods which we have granted to you shall come back, without any diminution, under the dominion of the holy Roman Church; but should you leave behind you children lawfully recognised from your marriage, we give to you full power to hold the same effects as their owner, and without any condition, and to make free disposition of the same by will.

"Know you, therefore, that what we have thus, by this charter of manumission, enacted and granted to you, bind, without any gainsay, ourselves and our successors for its observance. For the order of justice and of reason requires that he who desires his own commands to be observed by his successors, should also doubtless observe the will and the statutes of his predecessor.

"We have dictated this writing of manumission to be copied by our notary Paterius, and have for its most perfect stability subscribed it with our hand, and with those of three of the more dignified priests and three deacons, and delivered them to you.

"Done in the city of Rome," &c.

One of the subjects which at all times caused slavery to be surrounded with great difficulties was the result of marriage. The interest of the owner frequently interfered with the affection of the husband and wife, and also was irreconcilable to the relation of parent and child. The liability to separation of those married was a more galling affliction in the Christian law, where the Saviour made marriage indissoluble; and it often happened that an avaricious or capricious owner cared as little for the marriage bond, as he did for the natural tie of affection. Hence, as Christianity became the religion of the state, or of the great body of the people, it was imperatively demanded, by the very nature of the case, that some restraint should be placed upon that absolute power which the owners had, and sometimes abused, of wantonly making these separations. On the other hand, the association of the sexes made marriage desirable; it was ordained by God to be the general state of the bulk of mankind, and even the self-interest or the avarice of the master calculated upon its results. Then, again, the slave dreaded separation, not only because of the violence committed on the most sacred affections,—but also because, though the husband and wife should be separated by impassable barriers, yet the bond of their union subsisted, and could be severed by death alone.

This was a strong temptation to both master and slave to prefer concubinage to wedlock. This is one of the worst moral evils attending slavery, where no restraint of law effects its removal.

Another difficulty arose, especially in cases of the colonist, by reason of the claims of the several owners where colonists of distinct estates and different owners intermarried. In the case of perfect slaves, the child generally followed the mother, both as regarded condition and property. This was not, however, universally the case. But the owners of colonized lands set up different claims. At length the dispute was settled in the Roman empire by a law of Justinian, in 539, Novell. clxii. cap. 3, and confirmed by a decision in a case brought up by the churchwardens of Apamea in Phrygia, in 541, on the kalends of March, by dividing equally the progeny between the estates to which the parents belonged, giving the preference, in all cases of uneven number, to that estate to which the mother was attached. Nov. clvii. tit. xxxix.

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The following law concerning marriages and the separation of married persons from each other, and of children from their parents, is of the same date:

"NOVELL. clvii. *De Rusticis qui in alienis prædiis nuptias contrahunt.*—Tit. xl.

"Imp. Justin. August. Lazaro Comiti Orientis.

"PRÆFATIO.—Ex his, quæ diverso modo ad nos relata sunt, didicimus in Mesopotamiâ et Osdroenâ provinciis quidquam delinqui, nostris plane temporibus indignum. Consuetudinem etiam apud ipsos esse, ut qui ex diversis originem trahant prædis, nuptias inter se contrahant. Inde sane conari dominos, de facto jam contractas nuptias dissolvere, aut procreatos filios a parentibus abstrahere, exindeque totum illum locum misere affligi, dum et rusticani viri et mulieres ex una parte distrahantur, et proles his adimitur, qui in lucem produxerunt, et solâ nostrâ opus esse providentiâ.

"CAP. I.—Sancimus igitur, ut prædiorum domini de cætero rusticos suos, prout voluerint, conservent: neque quisquam eos qui jam conjuncti sunt, possit secundum consuetudinem prius obtinentem divellere, aut compellere ut terram ad ipsos pertinentem colant, abstrahereve a parentibus filios prætextu conditionis colonariæ. Sed et si quid hujusmodi forte jam factum est: corrigi hoc simul, et restitui efficies, sive filios abstrahi contigerit, sive etiam mulieres, nempe vel a parentibus, vel contubernii consortibus: eo, qui reliquo deinceps tempore hujusmodi aliquid facere præsumpserit, etiam de ipso prædio in periculum vocando. Quare libera sunto contubernia metu, qui dudum ipsis immittitur, et parentes habento ex hac jussione filios suos: nequeuntibus prædiorum dominis subtilibus contendere rationibus, et vel nuptias contrahentes, vel filios abstrahere. Qui enim tale quid facere præsumpserit: etiam de ipso prædio in periculum veniet, cui eos vindicare rusticos attentat.

"EPILOGUS.—Quæ igitur nobis placuerunt, et per sacram hanc pragmaticam declarantur formam, eam providentiam habeto magnificentia tua, tibique obtemperans cohors, et qui pro tempore eundem magistratum geret, ut ad effectum deducantur conserventurque, trium librarum auri pœna imminenti ei, qui ullo unquam tempore hæc transgredi attentaverit. Dat. Kal. Maii, Constantinop. D. N. Justin. PP. Aug. Bisil. V. C. Cons."

"*Of country persons who contract marriage on divers estates.*

"The Emperor JUSTINIAN AUGUSTUS, to LAZARUS the Count of the East.

"PREAMBLE.—We have learned by relation in various ways, that a delinquency quite unworthy of our times is allowed in the provinces of Mesopotamia and of Osdroene. They have a custom of having marriage contracted between those born on different estates; whence the masters endeavour to dissolve marriages actually contracted, or to take away from the parents the children who are their issue; upon which account that entire place is miserably afflicted, whilst country people, husbands and wives, are drawn away from each other, and the children whom they brought into light are taken away from them; and that there needs for the regulation only our provision.

"CHAPTER I.—Wherefore, we enact, that otherwise the masters of the aforesaid keep their colonists as they will; but, it shall not be allowed by virtue of any custom heretofore introduced and in existence, to put away from each other those who are married, or to force them to cultivate the land belonging to themselves, or to take away children from their parents, under the colour of colonial condition. And you will be careful that if anything of this sort has haply been already done, the same be corrected and restitution made, whether it be that children were taken away from their parents, or women from their consorts of marriage. And for any who shall in future presume to act in this way, it shall be at the hazard of losing the estate itself.

"Wherefore, let marriages of servants be exempt from that fear which has hitherto hung over them: and from the issue of this order, let the parents have their children. It shall not be competent for the lords of the estates to strive by any subtle arguments either to take away those who contract marriage, or their children. For he who shall presume to do any such thing, shall incur the risk of losing that estate for which he attempts to claim those colonists.

"EPILOGUE.—That, therefore, which has been good in our view, and is declared by this sacred pragmatic form, let your magnificence provide to have carried into execution, and the cohort which obeys you, as also he who for the time being shall hold the same magisterial office. To the end, then, that this edict may produce its effect and continue in force, let him who may at any time violate its enactments be liable to a penalty of three pounds of gold.

"Given at Constantinople, on the kalends of May, our most pious Lord Justinian, being Augustus, and the most renowned Basil being Consul."

This was an important amelioration of

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the worst feature of slavery: but, still the master's right to the labour was left untouched, whilst the rights of nature and of religion were secured to the colonist, and the transition from absolute slavery to the colonial condition was imperceptibly diminishing the number of those in the former, and increasing those in the latter condition. It became a principle, where an estate was large, and the colonists numerous, to confine the choice of the servants within the bounds of the property; and thus marriage had its full sanctity, and families remained without separation.

We have an instance of the exercise of this right, by Pope St. Gregory, in a document found in Lib. X., Indic. v., Epist. 28.

"Gregorius, Romano Defensori:

"*De filiis Petri defensoris extra massam in quâ nati sunt, non jungendis.*

"Petrus quem defensorem fecimus, quia de massâ juris Ecclesiæ nostræ, quæ Vitelas dicitur, oriundus sit, experientiæ tuæ bene est cognitum. Et ideo quia circa eum benigni debemus existere, ut tamen Ecclesiæ utilitas non lædatur: hac tibi præceptione mandamus, ut eum districte debeat admonere, ne filios suos quolibet ingenio vel excusatione foris alicubi it conjugio sociare præsumat, sed in eâ massâ, cui lege et conditione ligati sunt, socientur. In quâ re etiam et tuam omnino necesse est experientiam esse sollicitam, atque eos terrere, ut qualibet occasione de possessione cui oriundo subjecti sunt, exire non debeant. Nam si quis eorum exinde, quod non credimus, exire præsumpserit: certum illi est quia noster consensus nunquam illi aderit, ut foris de massâ in quâ nati sunt, aut habitare aut debeant sociari, sed et superscribi terram eorum. Atque tunc sciatis vos non leve periculum sustinere, si vobis negligentibus quisquam ipsorum quidquam de iis quæ prohibemus, facere qualibet sorte tentaverit."

"Gregory to the Proctor Romanus:

"*Of not marrying the children of Peter the Proctor, without the limits of the estate upon which they were born.*

"You, experienced sir, are well aware that Peter, whom we made a proctor, is a native of the estate of our church territory which is called Vitelas. And as our desire is to act towards him with such favour as is compatible with avoiding any injury to the church, we command you by this precept, that you should strictly warn him not to presume under any pretext or excuse, to have his children joined in wedlock anywhere but on that estate to which they may be bound by law or by condition; in which matter it is quite necessary that you, experienced sir, be very careful, and instil into them a fear to prevent any of them from going on any account beyond the estate to which they are subject by origin; for if any one of them shall presume, as we believe he will not, to go thence; let him be assured that he shall never have our consent either to dwell or to associate himself without the estate on which he was born, but that the land of any such person shall be more heavily charged (*superscribi*). And know you, that if by your negligence, any of them shall attempt to do any of those things which we prohibit, you will incur no small danger."

Many of the restrictions on marriage that are found in subsequent ages, under the feudal system, had their origin in this principle, because indeed the vassal, in feudal times, was but a slave, under a more loose dominion, in a mitigated form.

The following document shows, that, at least in the West, the separation of married persons was very uncommon, (quam sit inauditum atque crudele,) (*unheard of and cruel.*) It is found in Lib. III., Indic. xii., Epist. 12.

"Gregorius, Maximiano Episcopo Syracusano:

"*De uxore cujusdam ablatâ et alteri venumdatâ.*

"Tanta nobis subinde mala, quæ aguntur in istâ provinciâ nunciantur; ut peccatis facientibus, quod avertat omnipotens Deus, celeriter eam perituram credàmus. Præsentium namque portitor veniens lacrymabiliter quæstus est, ante plurimos annos ab homine nescio quo de possessione Messanensis Ecclesiæ de fontibus se susceptum, et violenter diversis suasionibus puellæ ipsius junctum, ex quâ juvenculos filios jam habere se asseruit, et quam nunc violenter huic disjunctam abstulisse dicitur, atque cuidam alii venumdedisse. Quod si verum est, quam sit inauditum atque crudele malum, tua bene dilectio perspicit. Ideoque admonemus, ut hoc tantum nefas sub ea vivacite, quam te in causis piis habere certissime scimus, requiras atque discutias. Et si ita ut supradictus portitor insinuavit, esse cognoveris, non solum quod male factum est, ad statum pristinum revocare curabis; sed et vindictam, quæ Deum possit placare, exhibere modis omnibus, festinabis. Episcopum vero, qui homines suos talia agentes corrigere negligit atque emendare, vehementer aggredere, proponens, quia si denuo talis ad nos de quoquam qui ad eum pertinet quærela pervenerit, non in eum qui

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excesserit, sed in ipsum canonice vindicta precedet."

"GREGORY to Maximinian, Bishop of Syracuse:

"*Concerning the wife of some one that was taken away and sold to another.*

"We are told of so many bad things done in that province, that we are led to believe, which may God forbid, the place must soon be destroyed.

"Now, the bearer of these presents complained to us in a pitiable manner, that many years ago some man whom I know not, belonging to the church of Messina, stood as his sponsor at baptism, and prevailed upon him by extreme urgency to marry his servant, by whom, he says, he has now young children, and whom now this man has violently taken away and sold to another. If this be true, you, our beloved, will see plainly how unheard of and how cruel is the evil. We therefore admonish you to look into and to sift so great a crime, with that earnestness which we assuredly know you have in matters of piety: and should you come to know that the fact is, as the aforesaid bearer has stated, you will be careful not only to bring back to its former state that which was badly done, but you will quickly, by all means, have that punishment inflicted which may appease God. Give a severe lecture to the bishop, that neglected to correct or to amend his people who do such things; setting before him, that if a like complaint comes to us again of any one who belongs to him, canonical process for punishment shall issue, not against the one that shall have done wrong, but against himself."

This will, in conjunction with the other documents, then mark the close of the sixth century as a period when, after the blindness of paganism, the corruption which regarded concubinage with indifference, the impiety which would deprive matrimony of its influence and dignity, and notwithstanding the cruelty which in bad times was used towards the unfortunate slave in this regard, religion at length gave her benign aid to procure that authoritative legislation and a more generous policy should soften the rigours of slavery, and begin to mitigate its evils by giving to this dependant upon his fellow-men the right to the holiest of those bonds by which parents and children were bound by the ties of religion, of nature, and of affection. We may therefore regard this as the period when, after ages of difficulty, the Christian religion had vindicated for the slave this common right of secure marriage, to which nature has given a claim which religion has always recognised. It is true, that though this right is considered inalienable, it is like every other to be regulated by restraints, which, without the destruction or the serious injury of the right itself, may be found necessary for the good of the community.

I have the honour to be, sir,
Respectfully, &c.
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Jan. 28th, 1841.

LETTER XIII.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I shall now wind up the examination of this epoch, upon which I have dwelt so long, by adducing a few more of the many documents that exhibit the belief of the Church, in her practice at the period in question, respecting the right to property in slaves.

I have already, in my ninth letter, given the deed which Pope St. Gregory made, conveying a slave to Felix, Bishop of Porto. I shall now give one similar thereto, which is found in Lib. II., Indic. xi., Epist. 18.

"GREGORIUS, Theodoro Consiliario.

"Acosimum puerum dat per epistolam.

"Ecclesiasticis utilitatibus desudantes Ecclesiasticâ dignum est remuneratione gaudere, ut qui se voluntariis obsequiorum necessitatibus sponte subjiciunt, dignè nostris provisionibus consolentur. Quia igitur te Theodorum virum eloquentissimum consiliarum nostrum, mancipiorum cognovimus ministerio destitutum ideo puerum nomine Acosimum, natione Siculum, juri dominioque tuo dari tradique præcipimus. Quem quoniam traditum ex nostrâ voluntate jam possides, hujus te necesse fuit scripti pro futuri temporis testimonio ac robore largitatis, auctoritate fulciri: quatenus Domino protegente, securè eum semper et sine ullius retractionis suspicione, quippe ut dominus, valeas possidere. Neque enim quemquam fore credimus, qui tam parvam largitatem pro tuâ tibi devotione concessam desideret, vel tentet ullo modo revocare: cum uno eodemque tempore, et verecundum sit a decessoribus benè gesta resolvere et verecumdum sit docere ceteros in suâ quandoque resolutoriam proferre largitate sententiam."

"GREGORY, to Theodore the Counsellor:

"He, by letter, gives him the boy Acosimus.

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"It is fit that they who labour for the benefit of the Church should enjoy a reward from the Church, that they who voluntarily and of their own accord have undertaken burdensome duties should be worthily assisted by our provision. Because therefore, we have known that you, Theodore, our counsellor, a most eloquent man, were not well provided with the service of slaves; we have ordered that a boy, by name Acosimus, of the Sicilian nation, should be given up and delivered to your right and dominion. And as you already have him in your possession by delivery, upon our will, it was necessary to fortify you with the authority of this writing as a testimony to the future and for protection of the gift: so that by God's protection, you may have power to possess him as his lord and master, always securely for ever and without any question being raised of his being in any way taken back. Nor indeed, do we believe that there is any one who would desire or would attempt in any way to revoke so small a bounty given to you for your devotion. Since it would be shameful to undo the good deeds of our predecessors, as it would to teach others that each could from time to time make the revocation of his own gift."

The next document is found in Lib. X., Indic. v., Epist. 40.

"Gregorius, Bonito Defensori.

"*De mancipio Fortunati Abbatis.*

"Filius noster Fortunatus Abbas monasterii sancti Severini, quod in hâc urbe Romanâ situm est latores præsentium monachos suos illic pro recolligendis mancipiis juris sui monasterii quæ illic latitare dicuntur dirigens, petiit ut experientiæ tuæ ei debeant adesse solatia. Eâ propter præsenti tibi auctoritate præcipimus, ut eis in omnibus salvâ ratione concurrere ac opitulari festines: quatenus te illic coràm posito, atque in hâc causâ ferente solatia, salubriter hæc citiùs valeant quæ sibi injuncta sunt, ad effectum, Deo auctore, perducere."

"Gregory, to the Proctor Bonitus,

"*Concerning the slaves of the Abbot Fortunatus.*

"Our son Fortunatus, the Abbot of the monastery of St. Severinus which is in the city of Rome, directing his monks the bearers of these presents to your neighbourhood to gather slaves belonging to the rights of his monastery, who are said to be there in concealment, begged that he should have your aid for that object. Wherefore, we command you, by this present order, that you would be alert in giving them all reasonable concurrence and aid; so that you being present there and comforting them in this business, they may, with God's aid, be able in a wholesome manner the sooner to perform the duty which has been laid upon them."

Thus, sir, the Pope did not consider it unbecoming in the monastery of St. Severinus to hold slaves, nor irreligious for the Abbot to send monks to bring back runaways, nor criminal for the monks to go looking for them, nor offensive to God, on his own part, to give letters to his officer and overseers to aid by all reasonable means to discover, and to capture them.

The following document appears perhaps to enter into more minute details for the recovery of a slave than you would calculate upon finding in this compilation. It is found in Lib. VII., Ind. ii., Epist. 107.

"Gregorius, Sergio Defensori.

"*De Petro puero fuga lapso.*

"Filius noster vir magnificus Occilianus, tribunus Hydruntinæ civitatis, ad nos veniens, puerum unum, Petrum nomine, artis pistoriæ, ex jure germani nostri, ad eum noscitur perduxisse. Quem nunc fugâ lapsum ad partes illas reverti cognovimus. Experientia ergo tua antequam ad Hydruntinam civitatem valeat is ipse contingere sub quâ valueris celeritate, vel ad episcopum Hydruntinæ civitatis, vel ad prædictam tribunum se vel alium quem in loco tuo te habere cognoscis, scripta dirigas, ut uxorem vel filios prædicti mancipii sub omni habere debeant cautelâ atque de ipso sollicitudinem gerere, ut preveniens valeat detineri, et mox cum rebus suis omnibus, quæ ad eum pertinent, navi impositis per fidelem personam huc modis omnibus destinari. Experientia itaque tua cum omni hoc studeat efficaciâ solertiaque perficere, ne de neglectu vel morâ nostros, quod non optamus, animos offendas."

"Gregory, to the Proctor Sergius:

"*Concerning Peter, a servant who fled away.*

"Our son Occilianus, a highly respectable man, a tribune of the city of Otranto, brought with him to our cousin, as is known, when he was coming to us, a boy named Peter, a baker, who belonged to that cousin. We have now learned that he has run away and returned to your country. Let then it be your care, experienced sir, before he shall be able to get back to Otranto, to direct as quickly as you can, a writing to the Bishop of Otranto, or to the foresaid tribune himself, or to any one else whom you know, that you can depute, to have a good care of the wife or children of the

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said slave, and to be very careful respecting himself, that as soon as he shall arrive he may be detained, and sent with everything that pertains to him, by all means hither, embarking them on board a ship under care of some faithful person.

"You, experienced sir, will therefore exert yourself to do this with all attention and effect, so as not to displease us by a delay or neglect, which we should not desire."

I shall place after this, the following taken from Lib. VIII., Indic. iii., Ep. 4.

"GREGORIUS, Fantino Defensori:

"*De mancipiis Romani spectabilis viri.*

"Mancipia juris Romani spectabilis memoriæ viri, qui in domo sua quæ Neapoli sita est, monasterium ordinari constituit, habitare in Sicilia perhibentur. Et quia monasterium ipsum juxta voluntatem ejus, Deo auctore, noscitur ordinatum, experientia tua præsentium portitoribus, qui ad recolligenda mancipia ipsa illuc directi sunt, omni studio solatiari festinet, et recollectis eis, possessiones illis ubi laborare debeant, te solatiante conducat. Et quidquid eorum labore accesserit, reservato unde ipsi possint subsistere, reliquam ad prædictum monasterium, experientiæ tuæ cura, annis singulis, auxiliante domino, transmittantur."

"GREGORY to the proctor Fantinus:

"*Concerning the slaves of the honourable man Romanus.*

"The slaves of the man of honourable memory, Romanus, who directed that his house in Naples should be formed into a monastery, are said to dwell in Sicily. And as it is known that, with God's help, the monastery has been established according to the regulations of his will; you, experienced sir, will without delay use your best efforts to aid the bearers of these presents who are sent thither to collect those slaves; and when they shall be collected, let them hire lands under your countenance, where they may labour; keeping them out of their produce of labour whatever may be necessary for their support; let the remainder, under the care of you, experienced sir, be sent, with God's help, every year to the foresaid monastery."

"GREGORIUS, Vitali defensori Sardiniæ:

"*De Barbaracinis mancipiis comparandis.*

"Bonifacium præsentium portitorem, notarium scilicet nostrum, ad nos experientia tua illuc transmisisse cognoscat, ut in utilitatem parochiæ, Barbaricina debeat mancipia comparare. Et ideo experientia tua omnino et studiose solliciteque concurrat, ut bono pretio, et talia debeat comparare, quæ in ministerio parochiæ utilia valeant inveniri, atque emptis eis huc Deo protegente ipse celerius possit remeare. Ita ergo te in hac re exhibere festina, ut te quasi servientium amatorem, quorum usibus emuntur, ostendas, et nobis ipsi te de tuâ valeant sollicitudine commendare."

"GREGORY to Vitalis, proctor of Sardinia:

"*Of buying Barbary slaves.*

"Know, experienced sir, that Boniface our notary, the bearer of these presents, has been sent by us to your place to purchase some Barbary slaves for the use of the hospital. And therefore, you will be careful to concur diligently and attentively with him that he may buy them at a good rate, and such as would be found useful for the service of the hospital. And that having bought them, he may, under the protection of God, very speedily return hither. Do you then be prompt to show yourself in this business so as to exhibit your affection for those who serve the hospital and for whose use the purchase is made, and that they may have it in their power to commend you to us for your zeal in their regard."

The word *parochiæ*, which is translated "hospital," is more properly *ptochia* in some of the ancient MSS., which is a sort of Latinized imitation of πτωχία—a house for feeding the poor. St. Gregory had a large establishment of this description in Rome attended by pious monks, for whose service these barbarians were purchased. Procopius informs us, lib. ii., de bello Vandalico, cap. 13, who these Barbary slaves were. When the Vandals had conquered the Moors of Africa, they were annoyed by the incursions of some of the barbarians of the southern part of Numidia. In order to prevent this, they seized upon themselves, their wives and children, and transported them to the island of Sardinia: kept prisoners and slaves for some time here, they escaped to the vicinity of Cagliari, and forming a body of 3000 men, they regained a sort of freedom. St. Gregory made various efforts to convert them. They who were kept in thraldom were frequently purchased, as in this instance, by the Italians and others.

I have now, sir, shown that in the Roman Catholic Church, up to the beginning of the seventh century, though slavery lost many of its harsher and more cruel and repulsive characteristics, the possession, the purchase, the transfer, and the disciplinary rule of slaves, was by no means incompatible

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with the most perfect piety and sublime practice of religion. This, sir, is domestic slavery, as distinguished from the "slave-trade." We have seen that the violent and rapacious incursions of pirates, who carried off into captivity the defenceless inhabitants of an unsuspecting country, were condemned by the pastors of that church; and when we shall arrive at the period when Portugal opened the way, and gave origin to the modern slave-trade, we shall see a repetition of the distinction between domestic slavery and the slave-trade, marked in the permission and in the censures of the church.

One of the documents, which to me was the most interesting, in the twelve books of letters which we have from the pen of this holy Pontiff, is in the forty-first of the eleventh book, to the notary Pantaleon, in which he reminds that officer of the solemn oath that he took at the tomb of St. Peter, the prince of the Apostles, to discharge faithfully the office to which he was appointed, in superintending the Papal patrimony in Syracuse. He then proceeds to applaud the conduct of Pantaleon, who, as Valerius, one of the Pope's secretaries, informed him, broke a measure which he found too large, and which had been used by some of the overseers in measuring the grain which the colonists were required to furnish. He then proceeds to state how the same Valerius informed him that Pantaleon had made a calculation of the amount in which he supposed the overseers had defrauded those servants, and thanks him for it. He then charges him upon his oath, not to have the Holy See a partaker of this fraud; but to give to the poor colonists of each estate, cows, hogs, or sheep, to the amount of the fraud committed by the false measure, and to call to his counsel, for this purpose, the bishop, the local secretary, and the governor, if convenient. He wishes them to determine whether it would be more advisable to make restitution to the colonists in gold or in stock. He concludes by stating that he has enough, and does not want to be thus enriched, and solemnly warns him so to act, as that on the great day of judgment neither of them shall be deprived of their reward by reason of any fraud upon those poor servants; and promises him blessings for himself and for his children, in this world and the next, should he have full justice done to those who have been thus defrauded.

This, sir, is the act of a good and virtuous slaveholder, who feared God and promoted the best interests of religion, who was anxious to do justice and to show mercy to his slaves. This, sir, was one of the greatest Popes that occupied the chair of St. Peter, a slaveholder whom the church venerates as one of her brightest examples of sanctity; a saint, in honour of whom the present venerated Pontiff selected the name which he bears, one who was well acquainted with his history, having studied it in the very monastery that he founded in the city of Rome, and over which the same Gregory XVI. presided, this latter was capable of distinguishing his sainted patron, a holder of slaves in domestic servitude, from the heartless and unjust man-stealer who makes the slave-trade his pursuit.

In the seventh book of his Epistles, we find that marked 114, addressed to Brunichild, Queen of the Franks, and that numbered 115, to Theodoric and Theodobert. Kings of the Franks, in which, amongst other requests, he entreats that they would prevent the Christians being held in slavery by the Jews. This was perhaps at the time required by the circumstances of the place and of the period, but certainly at the present time in this place, I know of no owners who treat their Catholic slaves with more kindness and affection, or who give them better opportunities for the practice of their religious duties, than do the Jewish owners. I have frequently found Catholic owners, who, in this latter respect, are far behind the Jews, and who, instead of giving to their servants good example and facilities and encouragement to be good Christians, faithful to their God and to their consciences, and conforming to the laws of the church, are the worst obstacles to their salvation.

In the fifth book of Epistles, Ep. 36, to Columbus, Bishop of Numidia, he complains grievously of the crime of those who allowed their children or their slaves to be baptized by the Donatist heretics,—and desires that any who should thereafter be guilty thereof should be excommunicated.

In his sixth book, Ep. 21, he commands the priest Candidus, who was his agent in Gaul, to purchase four of the brothers of one Dominic, who complained to him that they were redeemed from their captors by Jews in Narbonne, and held by them in slavery.

Book third, Ep. 28, is a letter to Candidus, ordering a yearly pension to Albinus, a blind son of Martin, one of the colonists.

The seventh book, Ep. 22, to John, the Bishop of Syracuse, is a very curious document. It recites the case of one Felix, who was, it would seem, a slave born of Christian parents, and given in his youth as a present to a Jew by a Christian owner; he served illegally during nineteen years

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the Jew, who was disqualified from holding a Christian slave: but Maximinian, the former Bishop of Syracuse, learning the facts, had, as in duty bound, Felix discharged from this service and made free. Five years subsequently, a son of the Jew became, or pretended to become, a Christian; and being thus qualified to hold a Christian slave, claimed Felix as his property. Felix appealed to the Pope, and the letter to the Bishop of Syracuse is a decision in favour of his freedom, containing also an order to the Bishop to protect him and defend his liberty.

I believe I may now safely dismiss Pope St. Gregory, and pass over a mass of testimony on the subject, at least twice as large as that which I have adduced. He died in the year 604 of the Christian era: and thus we can perceive what was, during these six first ages of the church, the doctrine and discipline regarding slavery.

I shall now, sir, proceed with more celerity through several documents for subsequent ages.

I have the honour to be, sir,
Respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., February 3, 1841.

LETTER XIV.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—Soon after the death of the holy Pope St. Gregory the Great, from whose writings I have made such copious extracts, an occurrence took place, which, though it had no immediate bearing on the condition of slavery, yet, in its consequences through successive centuries, had a powerful and extensive influence upon that state. This was the innovation of Mahomet in Arabia. We shall, however, have to review many canons and other documents, before we shall have the Saracen or the Turk upon the field.

At the period to which we have arrived, the Lombards had the principal dominion in Italy; the Franks had obtained possession of the greater portion of ancient Gaul; the Goths had the dominion of Spain; Portugal was become an inheritance for the Suevi; Germany and the northern regions were filled by various hordes, who, under several chiefs, were showing the first symptoms of civilization. England, under its heptarchy, was imbibing from Augustine, the legate of St. Gregory, the religion which she for so many subsequent ages preserved; as yet her common law had not even its foundations laid; and centuries were to elapse before Runnymede was to witness the delivery of *Magna Charta:* in the course of these times, her Alfred and her Edward the Confessor were to appear. Wales contained the ancient British, who had given way to the Anglo-Saxon; the Pict and the Scot occupied the northern plains and the snow-capped mountains; whilst Erin, with her Milesian progeny, cultivated literature and religion, as yet unassailed by the piratical Dane; Phocas wielded the sceptre of the East; Chosroes II., of the Parthian dynasty, reigned in Persia, and Mahomet had as yet scarcely retired to concoct his mighty imposture in the cave of Hira: the Visigoth, the Vandal, and the Moor spread themselves over the northern shores of Africa.

Look where you may, sir, through this map, the stain of slavery was upon every spot, and yet Christianity had already had six centuries of existence, and was, more or less powerfully, in possession of this wide domain. She had proclaimed mercy and charity, she had pronounced censures against the piratical invader, she had denounced the manstealer, she had inculcated obedience as the duty of the slave, kindness and protection as the obligation of the owner, and she had legislated for the direction of both. Could there be a more clear and unequivocal recognition of the lawfulness of holding property in the domestic slave? I now proceed with the history of ecclesiastical legislation on the subject.

In the precept of King Clotaire II., for endowing the Abbey of Corbey, after the grant of the parcels of land therein recited, he adds, "una cum terris domibus, mancipiis, ædificiis, vineis, silvis, pratis, pascuis, farinariis, et cunctis appenditiis," &c.—Together with the lands, houses, slaves, buildings, vineyards, woods, meadows, pastures, granaries, and all appendages.

And the abbey not only possessed the slaves as property, but by the same precept had civil jurisdiction over all its territory and all persons and things thereon, to the exclusion of all other judges. Clotaire II. died in 628.

The fourth Council of Toledo, in 633, in its 59th Canon, by the authority of King Sisenand and his nobles, &c., in Spain, restored to liberty any slaves whom the Jews should circumcise; and in the 66th canon, by the same authority, Jews were thenceforth rendered incapable of holding Christian slaves. The 70th and the 71st canons regulated the process regarding the freed persons and colonists of the church, and the latter affixed a penalty of reduction to sla-

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very for some neglect of formal observances useful to preserve the evidence of title for the colonist. The 72d Canon places the freed persons, whether wholly manumitted or only conditioned, when settled under patronage of the church, under the protection of the clergy.

The 73d permits the ordination of persons fully manumitted by laics, but not of those liable to any condition.

The 74th allows the church to manumit worthy slaves belonging to herself, so that they may be ordained priests or deacons, but still keeps the property they may acquire, as belonging to the church which manumitted them, and restricts them even in their capacity as witnesses in several instances; and should they violate this condition, declares them suspended.

In the year 650, which was the 6th of King Clovis II., a council was held at Chalons on the Saone, in France, in whose ninth canon we perceive the dawning of that principle which thenceforth was, for a time, gradually to increase. The canon begins with the announcement of the principle.

"Pietatis est maximæ et religionis intuitus, ut captivitatis vinculum omnino à Christianis redimatur. Unde sancta synodus noscitur censuisse, ut nullus mancipium extra fines vel terminos qui ad regnum domini Clodovei regis pertinent, penitus, debeat venumdare; ne quod absit per tale commercium aut captivitatis vinculo, vel quod pejus est, Judaicâ servitute mancipia Christiana teneantur implicita."

"It is a work of the greatest piety, and the intent of religion, that the bond of captivity should be entirely redeemed from Christians. Whence it is known to be the opinion of the holy synod, that no one ought, at all, to sell a slave beyond the dominions of our lord Clovis, the king; lest, which God forbid, Christian slaves should be kept entangled in the chains of captivity, or what is worse, under Jewish bondage."

Thus, sir, after ages of confusion, invasion, civil war, strife, and barbarity, the mild influence of religion had enlightened the minds and began to soften the hearts of that portion of the northern horde that occupied the fertile banks of the southern rivers of the ancient Gauls.

In the tenth Council of Toledo, celebrated in 656, in the reign of Receswind, king of the Goths, the 7th chapter is a bitter complaint of the practice which still prevailed amongst Christians, of selling Christian slaves to the Jews, to the subversion of their faith or their grievous oppression. And the council is the more afflicted at the enormous evil that priests and deacons, led away by avarice, and regardless of spiritual evils, were as deeply involved as lay persons in this criminal abuse. After a long and eloquent exposition of the evils which it produced, and ample quotation from holy writ, it concludes by pronouncing an excommunication, to be incurred by the fact, against all of any grade who shall thenceforth be thus criminal.

In the year 666, a council was held in Merida, in Spain. The 18th canon of which allows that, of the slaves belonging to the church, some may be ordained minor clerks, who shall serve the priests as their masters with due fidelity, receiving only food and raiment.

The twentieth chapter complains of many irregularities in the mode of making freed men for the service of the church, regulates the mode of making them, provides for the preservation of the evidence of their obligation and the security of their service.

The twenty-first regulates the extent to which a bishop shall be allowed to grant gifts to his friends, the slaves, the freed men, or others.

The thirteenth Council of Toledo was held in 683, in the reign of Ervigius, the successor of Wamba. There was an old law of the Goths found in lib. v. tit. vii. and repeated in other forms in lib. 10 and 11, regulating that no freed man should do an injury or an unkindness to his master, and authorizing the master who had suffered, to bring such offender back again to his state of slavery. And in lib. 17, the freed man and his progeny for ever, were prohibited from contracting marriage with the family of their patron or behaving with insolence to them. King Ervigius was reminded by many of his nobles, that former kings, in derogation of this law, had given employments about the palace to slaves and to freed men, and even sustained them in giving offence to their masters, and even sometimes ordered them so to do, and protected them; for this the nobles sought redfess. The king called upon the council to unite with him in putting a stop to this indignity. And in the sixth canon we have the detail of the evils set forth, and also the enactment, in concurrence with the king, that thenceforward it shall be unlawful to give any employment whatever about the palace, or in the concerns of the crown, to any freed men or slaves, but to those belonging to the fisc, and punishes the attempt of the slave or freed man who may transgress or offend, with correction, or even reduction to slavery, if he be not a slave.

The third Council of Saragossa was cele-

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brated in the year 691, in the reign of Egica, king of the Goths.

It will be recollected that in previous councils in Spain, especially in some of Toledo, it had been enacted, that any freed man of the church, who did not comply with certain regulations, should lose his freedom and be reduced to slavery. One of the conditions was, that any person pretending to have been manumitted or claiming as the descendant of a freed man, should, upon the death of the bishop, exhibit his papers to the successor of the deceased, within a year, or upon his neglect, should be declared a slave. The object of this was to discern those who were really partially free from the perfect slave, and to cause the former to preserve their muniments.

The fathers of Saragossa, however, discovered that, as they express it, some of the bishops, studying their own gain, had been too rigid in enforcing this law, and thereby reduced several negligent or ignorant persons to bondage; in order then to do justice, they enacted in their fourth chapter, that the year within which the documents should be exhibited, should not commence to run until after the new bishop, subsequently to his institution, should have given sufficient notice to those claiming to be but in partial service, to produce their papers.

The sixteenth Council of Toledo, in Spain, was held in the year 693. The fifth chapter of the acts relates to the repairs of churches, and after referring to the ancient canons regulating that when the bishop received the third of the revenue of the parish, he was bound to repair the church, and determining when a priest may hold two churches, it has the following passage.

"Ut ecclesia, quæ usque ad decem habuerit mancipia, super se habeat sacerdotem, quæ vero minus decem mancipia habuerit aliis conjungatur ecclesiis."

"That the church which shall have as many as ten slaves, shall have one priest over it, but that one which shall have less than ten slaves shall be united to other churches."

Though I can scarcely find an instance at this period, where the word *mancipium* is used for land, yet, as the word has frequently been used in that sense, it may possibly be its meaning in this place. The whole tenor, however, of the Spanish canons during the dominion of the Visigoths, exhibits the churches as in possession of slaves equally as of lands, and indeed throughout the centuries that we now examine, land would have been about as valuable without slaves, in Spain, as it would be this day in Georgia.

In the tenth chapter of the acts of the same council, not only was excommunication pronounced against all who should be guilty of high treason against Egica, the king of the Gothic nation, but the bishops and clergy united with the nobles (palatii senioribus) and the popular representatives in condemning traitors and their progeny to perpetual slavery (fisci viribus sub perpetuâ servitute maneant religati).

It may not be amiss to add to the above a couple of the laws of Ina, king of the West Saxons or Wessex, about the year 692. They were made for the regulation of religion.

"III.—Servus, si quid operis patrarit die dominico, ex præcepto domini sui, liber esto, dominus triginta solidos dependito. Verum si id operis injussu domini sui aggressus fuerit, verberibus cæditor, aut saltem virgarum metum precio redimito. Liber, si die hoc operetur injussu domini sui, aut servituti addicitor, aut sexaginta solidos dependito. Sacerdos, si in hanc partem deliquerit, pœna in duplumaugeator."

"If a slave shall do any work on the Lord's day, by order of his master, let him become free, and let the master pay thirty shillings (another copy adds, 'ad Witam,' as a fine). But, if he went to this work without his master's command, let him be cut with whips, (another copy has 'corium perdat,' let him lose his skin,) or at least, let him redeem the fear of the scourge by a price. A freeman, if on this day he shall work without the order of his lord, let him be reduced to slavery, or pay sixty shillings. Should a priest be delinquent in this respect, his penalty shall be increased to double."

The sixth regards broils and quarrels. One of the clauses is, that whosoever shall fight in the dwelling of a villain or colonist, shall pay his year's rent or thirty shillings to the villain.

In the eighth, the division of the weregild for the killing of a stranger, between the king and the family of the deceased is fixed, as also the share of an abbot or of an abbess, if either of them had special rights. We have then the following passage:—

"Wallus censum pendens annum, 120 solidorum æstimatur, filius ejus, 100. Servus, alias 60, alias 50, solidis valere putatur. Wallus virgarum metum 12 solidis redimito. Wallus quinque terræ hydas possidens 600 solidis æstimandus est."

"A stranger, paying a yearly rent, is to be rated at 120 shillings, his son at 100. A slave at either 50 or 60, is a fair estimation. Let a stranger redeem his fear of whipping

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for 12 shillings. A stranger being in possession of five hydes of land is to be valued at 600 shillings."

The Anglo-Saxons were very much disposed to treat strangers with contempt: their usual phrase for "a stranger was *Walea*," or Latin, "Wallus." Silvester Giradus, in his *Descriptio Cambriæ*, cap. 7.

When the Anglo-Saxons got into possession of the chief part of Britain, the ancient British were called "Walli," or strangers, and hence the place to which they retreated was called Wealas, or Wales, to which the Normans subsequently gave the name of *Pays des Galles*. The Irish used to call foreigners *Gaul*. Thus, by the laws of Ina, the Welshman was worth twice as much as a slave, for his Weregild, but if he possessed five hydes of land, he was rated at ten or twelve times the Weregild of the slave. This is in the law xxii. of Ina, in the general compilation, but selecting from the ecclesiastical it is No. viii.

The seventeenth Council of Toledo was celebrated in 694, in the reign of the same Egica. A sentence appended to it regards what I should hope had ceased to be a custom long before this period, but was, as I have before observed, enacted at Agde and at Epao, long previous to this. There were twenty-three of these sentences, the fifteenth of which is:

"Si quis servum proprium sine conscientiâ judicis occiderit, excommunicatione biennii sanguinis se mundabit."

"If any one shall put his own slave to death, without the knowledge of the judge, he shall cleanse himself of the blood by an excommunication of two years."

In the Council of Berghamstead, near Canterbury, held in 697, under Withred, King of Kent, at which Gebmund, Bishop of Rochester, was present, and where a sort of Parliament also assembled and gave a civil sanction to the temporal enactments and penalties of the canons, several regulations were made concerning slaves. The Saxon MS. is the adoption of the canons into the common law of Canterbury, and is entitled "*The Judgments of Withred.*"

The ninth canon in this collection is the following:

"Si quis servum suum ad altare manumiserit, liber esto, et habilis sit ad gaudendum hereditate et wirigildo, et fas sit ei ubi volet sine limite versari."

"If any person shall manumit his servant at the altar, let him be free, and capable of enjoying inheritance and weregild, and let it be lawful for him to dwell where he pleases without limit."

The tenth canon is:

"Si in vesperâ præcedente diem solis postquam sol occubuit, aut in vesperâ præcedente diem lunæ post occasum solis servus ex mandato domini sui opus aliquod servile egerit, dominus factum octoginta solidis luito."

"If on the evening preceding Sunday, after the sun has set, or on the evening preceding Monday, after the setting of the sun, a slave shall do any servile work by command of his master, let the master compensate the deed by eighty shillings."

The eleventh:

"Si servus hisce diebus itineraverit, domino pendat sex solidos, aut flagello cœdatur."

"If a servant shall have journeyed on these days, let him pay six shillings to his master, or be cut with a whip."

The twelfth:

"Si liber homo [id faciat] tempore vetito, sit reus collistrigii mulctæ: et qui eum de tulerit, dimidium habeat tam mulctæ quam wirgildi."

"If a freeman [shall do so] on a forbidden time, let him be liable to the fine of the pillory: and let the informer have one-half as well of the fine as of the weregild."

The thirteenth:

"Si paganus uxore nesciâ diabolo quid obtulerit, omnibus fortunis suis plectatur et collistrigio. Sin et ambo pariter itidem fecerint, omnium honorum suorum amissione, ipsa etiam luat et collistrigio."

"If a villain, without the knowledge of his wife, shall have offered anything to the devil, let him be punished by the loss of all his fortune and by the pillory. And if both did so together, let her also lose all her goods and be punished by the pillory."

I need not inform you, sir, that the English *villain* was the *colonist* of the European continent, and that in the Speculum Saxonicum, lib. 1, art. 3, you will find the description of his imperfect liberty as compared with the free man. You will also find it in Du Cange.—Paganus Pagenses, &c.

The fourteenth:

"Si servus diabolo offerat, sex dependat solidos, aut flagro vapulet."

"If a slave offers to the devil, let him pay six shillings or be whipped."

The fifteenth:

"Si quis servo carnem in jejunio dederit comedendam, servus liber exeat."

"If any one shall give his slave flesh-meat to eat on a fast-day, let the slave go out free."

The sixteenth:

"Si servus ex sponte suâ eam ederit, aut sex solidis aut flagello."

"If the slave shall eat it of his own mo-

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tion, let the penalty be either six shillings or a whipping."

After regulating the mode of declaration of swearing and of compurgation, for the king, the bishop, the abbot, the priest, the deacon, the cleric, the stranger, and the king's thane, the twenty-first canon enacts:

"Paganus cum quatuor compurgatoribus, capite suo ad altare inclinato, semet eximat."

"Let the villain deliver himself with four compurgators, with his head bowed down to the altar."

The twenty-third:

"Si quis Dei mancipium in conventu suo accusaverit, dominus ejus eum simplici suo juramento purgabit, si eucharistiam susceperit. Ad eucharistiam autem si nusquam venerit, habeat in juramento fidejussorem bonum, vel solvat, vel se tradat flagellandum."

"If any person shall accuse a slave of God in his convent, his lord shall purge him with a simple oath, if he shall have received the eucharist. But if he has never come to the eucharist, let him in his oath have a good surety to answer, or let him pay, or give himself up to be whipped."

The slave of God was one belonging to a monastery, of whom there appear to have been a good number in England, at that period, as well as on the continent. The previous canon had legislated for the bishop's dependants as distinguished from the slave of the monastery.

The twenty-fourth canon is:

"Si servus viri popularis servum viri ecclesiastici accusaverit, vel servus ecclesiastici servum viri popularis, dominus ejus singulari suo juramento eum expurgabit."

"If the slave of a lay person shall accuse the slave of a clergyman, or if the slave of a clergyman shall accuse the slave of a layman, let his master purge him by his single oath."

The twenty-sixth canon regulated the punishment of a freeman who was detected carrying away what he had stolen.

The twenty-seventh regulated the punishment of the person who permitted a thievish slave to escape, and respecting the slave himself concluded thus:

"Si quis eum occiderit, domino ejus dimidium pendito."

"If any one shall slay him, let him pay to his master one half."

In Germany, however, as yet, in most places, paganism prevailed, and human sacrifices were offered. St. Boniface had been sent by the Holy See, to endeavour to reclaim to religion and to civilization the nations or tribes that composed this undefined extent of territory. We find in a letter of Pope Gregory III., written in answer to his request for special instructions about the year 735, the following paragraph:

"Hæc quoque inter alia crimina agi in partibus illis dixisti, quod quidem ex fidelibus ad immolandum paganis sua venumdent mancipia. Quod ut magnopere corrigere debeas frater, commonemus, nec sinas fieri ultra: scelus est enim et impietas. Eis ergo qui hæc perpetraverunt, similem homicidæ indices pænitentiam."

"You have said that amongst other crimes this was done in those parts, that some of the faithful sold their slaves to pagans to be immolated. Which you should use all your power to correct, nor allow it to be done any more: for it is wickedness and impiety. Impose, then, upon its perpetrators the same penance as for homicide."

This exhibition, sir, brings us over another century of the view which I proposed to take.

I have the honour to be, sir,
Respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Feb. 11, 1841.

LETTER XV.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I proceed with the history of ecclesiastical legislation concerning slaves. My last letter brought us up to the year 735. I shall, however, before proceeding forward, introduce a small portion of an earlier document.

I omitted to introduce in its proper order the testimony of Theodore, Archbishop of Canterbury, who died in the year 690, and in whose capitulary we find the concurrent testimony of the east and of the west, as he was a native of Tarsus, in Cilicia, the city of St. Paul. He dwelt for some years in Rome, and then governed the English Church for upwards of twenty years. I shall make a few extracts from his canonical regulations.

"VII. Græci et Romani dant servis suis vestimenta, et laborant excepto Dominico die. Græcorum monachi servos non habent, Romani habent."

"The Greeks and Romans give clothing to their slaves, and they work, except on the Lord's day. The Greek monks have not slaves, the Romans have."

"XVII. Ingenuus cum ingenuâ conjungi debet."

"A free man should be married to a free woman."

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"LXV. Qui per jussionem domini sui occiderit hominem, dies xl., jejunet."

"He who, by the command of his master, shall kill a man, shall fast forty days."

The 71st prohibits the intermarriage of those slaves whose owners will prevent their living together.

The 74th regulates that if a free pregnant woman be sold into slavery, the child that she bears shall be free; all subsequently born shall be slaves.

"LXXIX. Pater filium necessitate coactus in servitium sine voluntate filii tradat."

"A father, compelled by necessity, may deliver his son into slavery, without the will of that son."

"LXXXIX. Episcopus et abbas hominem sceleratum servum possunt habere, si precium redimendi non habet."

"A bishop or an abbot can hold a criminal in slavery, if he have not the price of his redemption."

"CXVII. Servo pecuniam per laborem comparatam nulli licet auferre."

"It is not lawful for any one to take away from a slave the money made by labour."

I shall pass over a number of acts which only renewed or remodelled the provisions that we have previously seen, and I come to the year 752. In this year Pepin, son of Charles Martel, mayor of the palace, and father of Charlemagne, got possession of the throne of France, was crowned at Soissons by St. Boniface, Archbishop of Mayence, and thus founded the second dynasty of the French monarchy. One of his earliest acts was to call an assembly of the French nobles and bishops. They met at Vermeria, now called Verberie, in the department of Oise. The prelates held a council, at which twenty-one canons were made, a few of which will exhibit to us the legislation of that period regarding slaves.

Perhaps it may be as well here to observe that about this period it was usual to hold such joint meetings, and it frequently happened that the bishops also profited of their occasion for holding their own councils; hence, when the acts of the general assembly and those of the council were copied, it not unfrequently happened that the canons on ecclesiastical affairs were found on the same record with civil and political statutes and regulations. Thus, it not unfrequently happened also that civil laws were found on the rolls of canonical proceedings. And, looking at the records of this and the five or six succeeding centuries, the careless or the uninformed reader may be led to conclude that acts which were never treated of in ecclesiastical councils, were the legislation of the church, and also that lay or mixed assemblies had enacted canons for the regulation of religion. It must, however, be observed that it also frequently happened that the same subject was treated of in each assembly, but under different relations; in the one as it regarded the doctrine or discipline of the church, in the other as it regarded the concerns of the state; and the two enactments were not always separately engrossed. I will not, however, deny that during this period usurpations of power were occasionally attempted on both sides, and not always without success.

In this Council of Verberie, which was held in a palace of King Pepin, the sixth canon made regulations in the case of marriage between free persons and slaves. The following are its provisions.

1. If any free person contracted marriage with a slave, being at the time ignorant of the state of bondage of that party, the marriage was invalid.

2. If a person under bond should have a semblance of freedom by reason of condition, and the free person be ignorant of the bondage, and this bond person should be brought into servitude, the marriage was declared originally void.

3. An exception was made where the bond person, by reason of want, should, with the consent of the free party, sell himself or herself into perfect slavery, with the consent of the free party, then the marriage was to stand good, because the free party had consented to the enslavement, and profited of its gains.

The seventh canon would seem to show us that a slave could hold property in slaves; but probably the *servus* there described was a *conditionatus*, or person held to certain services, and not a *mancipium*, or absolute slave.

"Si servus suam ancillam concubinam habuerit, si ita placet, potest illâ dimissâ comparem suam ancillam domini sui accipere: sed melius est suam ancillam tenere."

"If a man-servant shall have his own female slave as a concubine, he shall have power, if he wishes, leaving her, to marry his equal, the female servant of his master: but it is better that he should keep his own servant in wedlock."

The eighth canon provided, in the case of a freedman who, subsequently to his liberation, committed sin with the female slave of his former master, that the master should have power, whether the freedman would or not, to compel him to marry that female slave; and should this man leave her, and attempt a marriage with another woman, this latter must be separated from him.

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The thirteenth declares that when a freeman, knowing that the woman whom he is about to marry is a slave, or not having known it until after marriage, voluntarily upon the discovery consents to the marriage, it is thenceforth indissoluble.

The nineteenth declares that the separation of married parties, by the sale of one who is a slave, does not affect the marriage. They must be admonished, if they cannot be reunited, to remain continent.

The twentieth provides for the case of a male slave freed by letter (*chartellarius*), who having for his wife taken a slave with the lawful consent of her master, and, leaving her, takes another as his wife. The latter contract is void, and the parties must separate.

Another assembly was held by King Pepin, in Compeigne, forty-eight miles northeast of Paris, where he had a country seat. At this assembly, also, the prelates held a council in 757, and made eighteen canons. The fourth makes provision for the case of a man's giving his free step-daughter—that is, the daughter of his wife by a previous marriage—in wedlock to a freeman or to a slave. The fifth declares void the marriage between a free person and a slave, where the former was ignorant of the condition of the latter. The sixth regards a case of a complicated description, where a freeman got a civil benefice from his lord, and takes his own vassal with him, and dies upon the benefice, leaving after him the vassal. Another freeman becomes invested with the benefice, and, anxious to induce the vassal to remain, gives him a female serf attached to the soil as his wife. Having lived with her for a time, the vassal leaves her, and returns to the lord's family, to which he owed his services, and there he contracts a marriage with one of the same allegiance. His first contract was invalid; the second was the marriage.

In the year 772 a council was held in Bavaria, at a place called *Dingolvinga*, (which, as far as I can discover by comparison of maps and similarity of name, is the present city of Ingolstadt), in the reign of Tassilo, Duke of Bavaria. The tenth canon of this council decides that a noble woman, who had contracted marriage with a slave, not being aware of his condition, is at liberty to leave him, the contract being void, and she is to be considered free, and not to be reduced to slavery. By *noble* we are here to understand *free*, as distinguished from *ignoble*, that is, a slave.

To understand the full bearing of some parts of this canon, it is necessary to know what the laws of Bavaria at that time regulated concerning free women who married slaves. And we find sufficient for our purpose upon the record of the assembly which was held for the purpose of civil legislation, at the same period that this council was celebrated. It recites, after giving the fourteen canons of the council, that under the everlasting reign of our Lord Jesus Christ, but in the 22d year of the most religious Tassilo, Duke of the Bojoari, on the 11th of the ides of October, in the year of the incarnation of our Lord 772, the tenth indiction, the aforesaid prince held an assembly at Dingolvinga, a public town, where he had gathered his chiefs. And a monastery of men, as also one of females, having been there founded, and the bishops having made their canons, the laws of the nation were revised by the consent of the skilful chiefs and of all the assembly. We have then sixteen amendments of the national law.

The first regulates by the authority of the prince and consent of the whole assembly, that thenceforth no slave, whether fugitive or other, should be sold beyond the limits of the territory, under penalty of the payment of his weregild.

In the second, among other things, it is enacted that if a slave should be killed in the commission of house-breaking, his owner is to receive no compensation; and should the felon who is killed in man-stealing, when he could not be taken, whether it be a freeman or a slave that he is carrying off, no weregild shall be paid by the slayer, but he shall be bound to prove his case before a court.

The seventh regards the trial by ordeal of slaves freed by the duke's hand.

The eighth establishes and guards the freedom, not only of themselves, but of their posterity, for those freed in the church, unless when they may be reduced to slavery from inability to pay for damages which they had committed.

The ninth contains, amongst other enactments, those which explain the tenth canon of the council. After specifying different weregilds for freed persons, it says:

"Si ancilla libera dimissa fuerit per chartam aut in ecclesiâ, et post hæc servo nupserit, ecclesiæ ancilla permanebit."

"Should a female slave be emancipated by deed or in the church, and afterwards marry a slave, she shall be a slave to the church."

It then continues respecting a woman originally free, and, as I suppose, the *nobilis* of canon x.

"Si autem libera Bajoaria servo Ecclesiæ nupserit, et servile opus ancilla contradixerit, abscedat."

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"But if a free Bavarian female shall have married a servant of the church, and the maid will not submit to servile work, she may depart."

I suppose from the subsequent portion of the law, as well as from the Christian doctrine of the indissolubility of a perfect marriage, that in this case there was merely a contract, not followed by its consummation; for the law proceeds:

"Si autem ibi filios et filias generaverit, ipsi servi et ancillæ permaneant, potestatem exinde (exeundi) non habeant."

"But if she shall have there born sons and daughters, they shall continue slaves, and not have power of going forth."

Her freedom was not, however, immediately destroyed, for the law proceeds:

"Illa autem mater eorum, quando exire voluerit, ante annos iii., liberam habeat potestatem."

"But she, their mother, when she may desire to go forth before three years, shall have free power therefor."

In this case the marriage subsisted; but the free woman could separate without, however, the marriage bond being rent. If she remained beyond the time of three years, she lost her freedom; and it shows us that, probably previous to this amendment, any free woman who married a slave, thereby lost her own freedom; and that the tenth canon, showing the marriage of which it treated to be invalid, showed that the woman should not lose her liberty. The concluding provision of the ninth law is as follows:

"Si autum iii. annos induraverit opus ancillæ et parentes ejus non exadomaverunt eam ut libera fuisset, nec ante comitem ducem, nec ante regem nec in publico mallo, transactis tribus kalendis Martis (Martu), post hæc ancilla permaneat in perpetuum et quicumque ex ea nati fuerint servi et ancillæ sunt."

"But if she shall have continued three years doing the work of a slave, and her relations have not brought her out so that she should be free, either before the count, or the duke, or the king, or in the public high court (mall), when the kalends of March shall have thrice passed, after this she shall remain perpetually a slave, and they who shall be born of her, male and female, shall be slaves."

In 768 Charlemagne succeeded Pepin in the rule of one portion of his dominions, and three years afterwards, upon the death of his brother Carloman, he succeeded to the remainder. This is not the place to give his history, but I merely remark that in the collection of canon law taken from the various councils for the preceding centuries, and then in force, which was delivered to him by Pope Adrian I., in the year 774, we find nearly all those which I have previously adverted to, or quoted, respecting slaves. I shall instance a few: the 3d of Gangræ, condemning as guilty of heresy those who taught that religion sanctioned the slave in despising his master; the 30th in the African collection, which showed that the power of manumission in the church was derived from the civil authority: the 102d of the same, which declared slaves and freed persons disqualified to prosecute, except in certain cases and for injuries done to themselves.

In a capitulary of Charlemagne, published in such a synod and general assembly in 779, in the month of March, in the eleventh year of his reign, at Duren, on the Roer (Villa Duria), between Cologne and Aix-la-Chapelle, there being assembled "episcopis, abbatibus, virisque illustribus comitibus, unâ cum piissimo domino nostro,"—the bishops, abbots, and the illustrious men, the counts, together with our most pious lord, we find the following chapter:

"XX. De mancipiis quæ venduntur, ut in præsentiâ episcopi vel comitis sit, aut in præsentiâ archdiaconi, aut centenarii, aut in præsentiâ vicedomini, aut judicis comitis, aut ante bene nota testimonia. Et foras marcham, nemo mancipium vendat. Qui fecerit, tantis vicibus bannos solvet, quanta mancipia vendidit. Et si non habet precium vivadio, pro servo semetipsum donet comiti, usquêdum ipsos bannos solvat."

"Concerning slaves that are sold, let it be in the presence of the bishop, or of the count, or in the presence of the archdeacon, or of the judge of the hundred, or in presence of the lord's deputy, or of the judge of the county, or of well-known witnesses. And let no one sell a slave beyond the boundary. Whosoever shall do so, shall pay as many fines as he sold slaves. And if he has not the money, let him deliver himself to the count in pledge as a slave until he shall pay the fines."

The bishops and abbots were concurring parties to this chapter, and Charlemagne was a good practical religious man.

In a capitulary of Pope Adrian I., containing the summary of the chief part of the canon law then in force as collected from the ancient councils and other sources, delivered to Ingilram, Bishop of Metz, or, as it was then called, Divodurum, or oppidum Mediomatricorum, on the 19th of September, xiii. kalendas Octobris, indic. ix., 785. The sixteenth chapter, describing

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those who cannot be witnesses against priests, mentions not merely slaves, but "quorum vitæ libertas nescitur," those *who are not known to be free;* and in the notes of Anthony Augustus, Bishop of Tarragona, on this capitulary, he refers for this and another passage, "viles personæ"—*persons of vile condition*, which is the appellation of slaves, to decrees of the earliest of Popes, viz., Anacletus, A. D. 91, and Clement, his immediate successor; Evaristus, who was the next, and died A. D. 109; Pius, who died A. D. 157; Calistus, in 222; Fabian, 250; and several others. In chapter xxi., among incompetent witnesses, are recited, "nullus servus, nullus libertus"—*no slave, no freedman.* The notes of the same author inform us that this portion of the chapter is the copy of an extract from the first Council of Nice, and that it is also substantially found in a passage from Pope Pontianus, who died in 235, as well in several of the early African and Spanish councils which he quotes.

I have already noticed the collection of canon law given by Pope Adrian to Charlemagne. That monarch having the best possible understanding with the Holy See, animated by an ardent zeal for the progress of religion and the establishment of morality, was also one of the most active and indefatigable princes, a profound statesman, and a skilful and successful general.

He assembled many councils of prelates, nobles, and other advisers, and having all the topics on which he determined to legislate maturely discussed by each order of persons, in its proper place, he embodied into enactments, called Capitularies, the legislative results. We have several of these; a large portion of them are chapters, or *capita*, making the canons and the decisions which he received from the Pope, the law of the kingdom, and subsequently, when he had been crowned emperor, the law of the empire. In most of the chapters, reference is made to the council which enacted the provision, and to the canon in which the enactment is found, and frequently the very words of the canon are used. It was thus that a large portion of the canon law became the public law of the greater part of Europe, by civil legislation, and not by papal encroachment; and it exhibits either very imperfect knowledge or great dishonesty in a large number of writers upon law, especially of the English and American schools, when at this day they continue to retail the falsehoods and calumnies of earlier historians, who, to subserve the purposes of innovators, have falsified history.

I am, indeed, disposed to make great allowance for our American writers, not one in twenty of whom, perhaps, ever laid his eye upon one of the documents of which I treat, and who takes for granted all that an English jurist or a European infidel writes upon the subject.

One of these assemblies, in which Charlemagne published a capitulary, was held at Aix-la-Chapelle (Aquisgranum) in 789, in which eighty-two chapters were enacted. No xxiii. is founded upon canon iv. of the council of Chalcedon, and upon an enactment of Leo the Great, the latter of which I have given in Letter VI., on the 4th of November. It prohibited all attempts to induce a slave to embrace either the clerical or monastical state, without the will and license of the master. No xlv. prohibits, amongst others, slaves from being competent witnesses, or freedmen against their patrons: founded upon the 96th canon of African councils, quoted in Letter V., October 28th. No. lvii., referring to the 3d canon of the Council of Gangræ, mentioned also in Letter V., prohibits bishops ordaining slaves without the master's license.

In 794 a council was held at Frankfort-on-the-Main, at which the bishops of a large portion of Europe assisted, the 23d canon of which is the following:

"De servis aliensis, ut a nemine recipiantur, neque ab episcopis sacrentur sine licentiâ dominorum."

"Of servants belonging to others: they shall be received by no one, nor admitted to orders by bishops, without their masters' license."

In the year 697, at another assembly held at Aix-la-Chapelle, the capitulary for the pacification and government of Saxony was enacted by Charlemagne. The eighth chapter is:

"Si quis hominem diabolo sacrificaverit, et in hostiam more paganorum dæmonibus obtulerit, morte moriatur."

"If any person shall sacrifice a man to the devil, and offer him as a victim to devils after the fashion of pagans, he shall be put to death."

I beg, for an explanation of this, to refer to the concluding part of Letter XIV., February 11th, where Pope Gregory III. answers St. Boniface, who informed him that unfortunate slaves were bought to be thus immolated.

"XI. Si quis filiam domini sui rapuerit, more moriatur."

"If any one shall do violence to his master's daughter, he shall be put to death."

"XII. Si quis dominum suum vel dominam suam interfecerit, simili modo puniatur."

"If any one shall kill his master or his

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mistress, he shall be punished in like manner."

"XIV. De minoribus capitulis consenserunt omnes, ad unamquemque ecclesiam curtem et duas mansas terræ pagenses ad ecclesiam recurrentes condonent: et inter centum viginti homines nobiles et ingenuos, similiter et litos, servum et ancillam eidem ecclesiæ tribuant."

"All agreed concerning the smaller congregations, that the colonists frequenting each church should bestow upon it one dwelling, with proper out offices, and two manses of land; and that they should give to the same church one male slave and one female slave between one hundred and twenty noble and free men, and counting also the conditioned servants."

Thus in this newly settled ecclesiastical province the provision made for the support of religion consisted of land and slaves; and the *liti*, or servants under condition, were to be counted as freemen in taking the census. The *mansa* was generally as much good land as could be tilled by a servile family and a pair of oxen, and was computed to be about twelve acres.

I had hoped in this letter to make progress through a large number of years, but I find the documents before me too numerous to press into the space that remains. I shall reserve them for my next.

I have the honour to be, sir,

Respectfully, &c.,

† JOHN, *Bishop of Charleston.*

Charleston, S. C., January 28, 1841.

LETTER XVI.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—I proceed with the capitularies of Charlemagne. He was crowned Emperor of the Romans on Christmas day, in the year 800, by Pope Leo III., at High Mass, in the church of the Vatican, before the confession of St. Peter, or the tomb where one-half of the body of that blessed apostle is laid up, together with one-half of that of St. Paul:—and thus was the Western empire re-established.

The Lombards had long disturbed Italy. Charlemagne succeeded in reducing them to better order, and in the year 801, he, by a capitulary, amended their laws. I shall exhibit one chapter by which the colonial state in Italy was assimilated to that of France and of Germany.

"VI. *De aldionibus publicis ad jus publicum pertinentibus.*

"Aldiones vel aldianes eâ lege vivant in Italiâ, in servitute dominorum suorum, quâ fiscalini, vel liddi vivunt in Franciâ."

"*Of the public Aldions, belonging to the public estate.*

"The Aldions, or Aldians, shall, in Italy, exist upon the same principle in the service of their masters that the fiscals and lids do exist in France."

The Aldions were bondsmen or bondswomen, whose persons were not at the disposal of their masters, nor did they pass with the land as colonists did, but their masters or patrons had certain claims upon stated services from them. They were generally either freed persons or the descendants of those who had been manumitted upon the condition of performing stipulated services, and if they failed to perform these they were liable to be reduced to slavery. The fisc was originally a basket or frail, into which the common property was put; it was then a bag or sack, for holding money, and lastly came to mean the treasury, and by common use to be generally confined to the *State* Treasury or monarch's treasury; hence the *fiscalini* or *fiscal servants* were, in France, persons who owed certain fixed services to *the fisc* or treasury of the monarch, of the state, or of some community, or church, or public body. The *Lidus* or *Liddus*, or *litus* of the Saxon was so called from being spared in the conquest, and left on the land with the obligation of paying the master, who owned it and himself, a certain portion of its produce, and doing him other fixed services. Thus neither of them was an absolute slave whose person and property were at the owner's disposal. The slave was manumitted, but this latter description of servants were generally released by deed or charter: hence, when so freed they were called *chartulani*, *chartellani*, or "chartered." The transition from slavery to this latter kind of servitude was at the commencement of the ninth century greatly on the increase.

"VIII. *De servis fugacibus.*

"Ubique intra Italiam, sive regius, sive ecclesiasticus vel cujuslibet alterius hominis servus fugitivus inventus fuerit à domino suo sine ullâ annorum præscriptione vindicetur, eâ tamen ratione, si dominus Francus sive Alemannus, aut alterius cujuslibet nationis sit. Si verò Longobardus aut Romanus fuerit, eâ lege servos suos vel adquirat vel admittat, quæ antiquitùs inter eos constitutus est."

"*Concerning runaway slaves.*

"Wheresoever within the bounds of Italy, either the runaway slave of the king or of

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the church, or of any other man, shall be found by his master, he shall be restored without any bar of prescription of years; yet upon the provision that the master be a Frank or a German or of any other nation (foreign). But if he be a Lombard or a Roman, he shall acquire or receive his slaves by that law which has been established from ancient times amongst them."

Here again is abundant evidence of the prevalent usage of the church holding property in slaves; just as commonly as did the king or any other person.

In the year 805, Charlemagne published a capitulary at Thionville, in the department of Moselle, France, (Theodonis villa.) In the chap. xi. we read:

"*De servis propriis vel ancillis.*

"De propriis servis et ancillis, ut non suprà modum in monasteria sumantur, ne deserentur villæ."

"*Concerning their own male or female slaves.*

"Let not an excessive number of their own male or female slaves be taken into the monasteries, lest the farms be deserted."

This capitulary regards principally the regulation of monasteries.

St. Pachomius, who was born in Upper Egypt, in 292, and who was the first that drew up a regular monastic rule, would never admit a slave into a monastery.—*Tillemont*, vii. p. 180.

In the year 813, a council was held at Chalons, on the Saone, in France, the portions of whose enactments in any way affecting property or civil rights were confirmed by Charlemagne and made a portion of the law of the empire.

Many of the churches, especially in the country, were curtailed in their income and reduced to difficulties, because the bishops and abbots had large estates within their parishes, and many servants occupied in their cultivation, and the prelates prevented these servants paying tithes to the parish clergy, claiming for themselves an exemption from the obligation. The canon xix. is the following:—

"Questi sunt præterea quidam fratres, quod essent quidam episcopi et abbates, qui decimas non sinerent dari ecclesiis ubi illi coloni missas audiunt. Proinde decrevit sacer ille conventus, ut episcopi et abbates de agris et vineis, quæ ad suum vel fratrum stipendium habent, decimas ad ecclesias deferri faciant; familiæ vèro ibi dent decimas suas, ubi infantes eorum baptizantur, et ubi per totum anni circulum missas audiunt."

"Moreover some brethren have complained, that there were some bishops and abbots who would not permit tithes to be given to those churches where colonists hear mass. Wherefore that holy assembly decreed, that, for those fields and vineyards which they have for their own support or that of their brethren, the bishops and abbots should cause the tithe to be paid to the churches. And let the servants pay their tithes to the church where their infants are baptized and where during the year, they hear mass."

In this we have additional evidence, if it were wanted, of the fact that large bodies of land and numerous servants attached to them were held by bishops and abbots, not only for themselves, but for their churches and their monasteries. The canon xxx. is the following:—

"Dictum nobis est quod quidam legitima servorum matrimonia potestativâ quâdam præsumptione dirimant, non attendentes illud evangelicum: *Quod Deus conjunxit, homo non separet.* Unde nobis visum est, ut conjugia servorum non dirimantur, etiam si diversos dominos habeant: sed in uno conjugio permanentes dominis suis serviant. Et hoc in illis observandum est, ubi legalis conjunctio fuit, et per voluntatem dominorum."

"It has been stated to us that some persons, by a sort of magisterial presumption, dissolve the lawful marriages of slaves: not regarding that evangelical maxim, *What God hath put together, let man not separate.* Whence it appears to us, that the wedlock of slaves may not be dissolved even though they have different masters; but let them serve their masters remaining in one wedlock. And this is to be observed with regard to those where there has been a lawful union, and with the will of the owners."

Charlemagne died in the year 814, and was succeeded in the empire by Louis the Weak, or the Pious. In the third year of his reign, in the year 816, a council was held at Aix-la-Chapelle, in which a large portion of the canon law then in force regarding the clergy was embodied into 145 chapters. After the session of the council, the emperor published a capitulary containing thirty chapters: the sixth of which complains of the continued indiscretion of bishops in ordaining servants, contrary to the canons, and forbids such ordinations except upon the master's giving full liberty to the slave: declares also, that if a servant shall impose upon a bishop by false witnesses or documents of freedom, and thus procure ordination, he shall be deposed and taken back by his owner. If the descendant of a slave who came from abroad, shall have been

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educated and ordained, where there was no knowledge of his condition, should his owner subsequently discover him and prove his property, if this owner grants him liberty he may keep his clerical rank; but if the master asserts his right and carries him away, though the slave does not lose his character of order, he loses his rank and cannot officiate. Should masters give servants freedom that they may be capable of ordination, it shall be in the masters' discretion to give or to withhold the property necessary to enable the person to get orders.

The archbishops are to have in each province the emperor's authority in the original, to authorize their ordaining the servants of the church, and the suffragan bishops are to have copies of the original, and when such servant is to be ordained, this authority must be read for the people from the pulpit or at the corner of the altar. The like form was to be observed when any of the laity desired to have any servant of the church promoted to orders, or when the like promotion was petitioned for by the prior of a chapter or of a monastery. This emperor died in 840, and Lotharius, his son, had the title of emperor. He published a capitulary in Rome, in 842.

In the third chapter of the first part, we find the following expression:—

"In electione autem Romani pontificis nullus sive liber, sive servus præsumat aliquod impedimentum facere."

"Let no one, whether freeman or slave, presume to create any impediment in the election of the Roman Pontiff."

Which leads us to suspect that some slaves possessed considerable power or influence.

The second part consists of a portion enacted at a different period, but engrossed with that which I have noticed.

In the second chapter, fines are imposed for creating riots in any church. And the chapter concludes in the following words:

"Et qui non habet unde ad ecclesiam persolvat, tradat se in servitio eidem ecclesiæ, usque dum totum debitum persolvat."

"And let him who has not the means of paying the church, give himself in servitude to that same church until he pays the whole debt."

By the tenth chapter he restrained the power of manumission.

"Quod per xxx annos servus liber fieri non possit, si pater illius servus, aut mater ancilla fuit. Similiter de aldionibus præcipimus."

"That a slave whose father or whose mother was a slave cannot become free before thirty years of age. We order that the same shall be the case respecting Aldions."

In the twelfth, he states that these are but a continuance of the laws of his grandfather Charles, and of his father Louis. And in Tit. I., 12 of Ulpian, reference is made to a variety of enactments of the ancient Roman law, that a slave manumitted under the age of thirty could not be a Roman citizen, except by a special grant of a court.

The thirteenth declares that free women who unite with their own slaves are in the royal power, and are given up, together with their children, to slavery amongst the Lombards.

The fourteenth enacts, that a free woman who shall unite herself to the male slave of another, and remain so for a year and a day, shall, together with her children, become enslaved to her husband's owner.

The fifteenth regulates, that if the free husband of a free woman shall, for crime or debt, bring himself into servitude to another, and she not consent to remain with him, the children are free; but if she die, and another free woman, knowing his condition, marries him, the children of this latter shall be slaves.

A number of chapters are also on these records, showing the insufficiency of servile testimony. Others provide against the oppression of poor freemen, so that they shall not be easily compelled to sell themselves into slavery.

About the year 860, Pope Nicholas I. sent to the newly converted Christians of Bulgaria answers to several inquiries which they made for the regulation of their conduct. The 97th regards slaves who accuse their masters to the prince or to the court; and the Pope refers them to the obligation of the master. as given in chapter vi. of the Epistle of St. Paul to the Ephesians; not to use threatenings towards their servants, and then asks, how much more strongly does the spirit of this maxim of kindness and affection bear upon the servant, and teach him to be of an humble and forgiving disposition, such as that chapter enjoins; referring also to the direction of our Saviour (Luke vi. 37), and the injunction of the Apostle (1 Thess. v. 15), for their direction.

I may, perhaps, here close that part of my observations which were intended to show, that by *Scripture* and by *tradition* we discover that the existence of domestic slavery is perfectly compatible with the practice of true religion.

In the Scriptural evidence, we have seen the laws regarding it, made for his chosen people by God himself. We have found that, amongst the various crimes denounced

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by the Saviour, he never directly or indirectly either mentions or alludes to this,—yet he not only was fully aware of its existence, but it was alluded to and spoken of by slaveholders, upon whom he conferred great favours, and to whose high virtues he bore ample testimony.

His apostles distinctly show their respective duties to the slaveholder and to the slave, who are both members of the church of Jesus Christ; and strongly as they recommended kindness and mercy to one, they inculcate obedience and humility upon the other.

Tradition is the preservation of the original doctrine. It is evinced by a variety of testimony, consisting of documents, of usages, of legislation, of practice, of preaching, and so on I have, for nearly the first nine centuries of the Christian era, that is, for the earlier half of that period which has elapsed from the establishment of the Christian religion, shown all this variety of testimony, exhibiting the unchanging doctrine on this subject, preserved under a variety of circumstances in all those regions that had received the light of the Gospel.

This, I repeat, is what we call *tradition*. And of what does that body of evidence consist? Of the admonitions of the earliest and the holiest pastors of the church; of the decrees of her councils, repeatedly made upon a variety of occasions; of the synodical condemnation of those who, under the pretext of religion, would teach the slave to despise his master; of the prohibition to her prelates to interfere with the slave property of any one, without his full permission, for the purpose of ordination, or of monastic profession; of the sanction and support of those laws by which the civil power sought to preserve the rights of the owner; of the deeds of gift or of sale by which the church acquired such property for the cultivation of her lands, for the support of her temples, for the maintenance of her clergy, for the benefit of her monasteries, of her hospitals, of her orphans, and of her other works of charity. All this testified that she continued to regard the possession of such property as being fully compatible with the doctrine of the Gospel that she was commissioned to proclaim. And whilst she denounced the pirates who made incursions to reduce to bondage those who were free and unoffending, whilst she regarded with just execration the persons who fitted out ships and hired men to engage in such a traffic as is known now by the expression "slave-trade"—she found domestic slavery existing throughout her jurisdiction, and mixed up with almost all her transactions during those centuries from whose records I have quoted so sparingly, though perhaps so tediously, to form an outline of my argument of tradition. Thus, by the testimony of the church, and not by our own conjectures, we learn that doctrine which was originally delivered by God, and then handed down, without alteration, through successive generations.

I now draw your attention to the influence that Mahometanism had upon slavery. In the East, the first Arabian warriors who marched as the propagators of Islamism, offered to those whom they assailed the alternative of embracing their religion, or paying them tribute, or taking the chances of war. Persia and Syria were quickly under their yoke. About the year 645 Egypt fell into their hands, and the conquest of Cyprus was not long delayed. In all those places, the slaves of Jews and of Christians were admitted to their freedom upon declaring themselves believers in the doctrines of the Koran; and we can easily conceive that in this way great numbers obtained their emancipation. On the other hand, many of those who were made captives in war were reduced to slavery,—so that it is not improbable that the accounts may be, at the least, balanced.

There was, however, a serious difference between the position of the slave under the caprice of a barbarian flushed with victory, and taught to consider his servant as an infidel dog,—and of one who professed the same religion as his master, and that master taught that at the tribunal of their common God he should account most fully for every injustice or unkindness done to his slave. Nor was this the only restraint imposed upon him. We have seen how, by the canons of the church and the laws of the land, there was ample protection afforded to the weaker party. If to this we add the heavy tribute imposed upon the Christian, and his perpetual liability to insult and injustice, the slave of such a slave must himself be in a worse position than if the owner had been in his former freedom.

I am well aware that some of the writers on history, upon whom it is fashionable to rely, give us glowing descriptions of the noble qualities of the Saracens, and delight to dwell upon the superiority of the polished Mussulman over the rude and superstitious Gothic Christians of this age. Mr. Gibbon is as eloquent as he is imaginative upon the theme. It suited his object, and was naturally to be expected from the writer, whose aim was to destroy Christianity by drawing it into contempt. But, fortunately, whosoever will calmly investigate

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facts, instead of being content with partial, discoloured, and deceptive statements, will soon detect the fraud. I have no difficulty in concluding, even after a limited view, that the progress of the Saracen did much to perpetuate and to extend slavery, and to render the situation of its victims much worse than it was at the period of the Hegira.

Sicily was the next foothold of the Saracens, and their first resting-place in Europe, in 655. They threatened Constantinople and Italy, and before the close of the seventh century the Vandal, the Visigoth, and the Moor were subjected to their yoke along the whole range of northern Africa. You, sir, cannot be ignorant of their descent upon Spain, and of their success in the beginning of the next century, when the throne of Roderic was overturned. It may be permitted to me, sir, in this place to give a sketch of the mildness, the magnanimity, and the generosity of this favourite people of the author of the Decline and Fall. I shall merely give an outline of the clemency shown to a country which had submitted to the conquerors' yoke. I translate it from Fleury, liv. xli., par. 25, who refers to authorities of the highest description, by whom he is amply sustained. Toledo was quietly given up to Mousa, the governor of Africa, as vicar to the caliph, "who put the chief men to death, and subjected all Spain as far as Saragossa, which he found open. He burned the towns, he had the most powerful citizens crucified, he cut the throats of the children and of the infants, and spread terror on every side." I should suppose that the precepts of St. Paul, to treat the Christian slaves with kindness, and to forbear threatenings, would produce little effect upon the gentle Saracen!

Sardinia next fell into their power, and they avowed that their object was to seize upon the Vatican, and to allow to the head of the Christians, and to the body over which he presided, as little power as they could, and for as short a space of time as possible.

A few of the Spaniards had taken refuge in the mountains of Asturia, and chose Pelagius, son of Fasila, of the royal family of the Goths, for their prince. Attacked in their place of retreat, this remnant of the Christians defended themselves with valour, and kept their borders free. In the East, the Christians suffered dreadful persecution,—and they who escaped death, and would not apostatize, suffered worse than slavery.

In 719, crossing the Pyrenees, the Mahometans poured themselves upon the south of France. After two years of ravages, Zama, their chief, was compelled, by Eude, Duke of Aquitaine, to raise the siege of Toulouse, he was slain and his troops driven back; but their incursions were repeated and it is stated by the historians of the time that in one action they lost 375,000 men. It was in an action with them, between Tours and Poictiers, that Charles, the father of Pepin, uniting his forces with those of Eude, gave them a signal defeat, and got the surname of *Martel*, from the *hammering* by which he spread such destruction through their host. Though the French church suffered greatly from their ravages, yet the warriors prevented their carrying off many slaves.

The Christians were allowed to practise their religion in the subjugated portion of Spain, with great restrictions, and upon payment of heavy tribute. Alphonsus the Catholic succeeded Fasila, the son of Pelagius, in 740, and, finding, the Mussulman weakened by his losses in France, struck a blow for the liberation of Spain, and recovered a considerable number of towns, releasing tens of thousands of Christians from their bondage.

About fifty years later, Alphonsus the Chaste conquered a large portion of the Peninsula, and kept up an intercourse with Charlemagne, to whom, upon the conquest of Lisbon, in 798, he sent, amongst other presents, seven Moorish slaves.

In 842, the Moorish Mussulmen entered the Rhone, ravaged the south of France, near Arles, and carried off a large booty and several persons into slavery. And here we may fix the origin of that piracy which our government and the governments of Great Britain and France have so lately succeeded in completely destroying, after a duration of about one thousand years.

Italy also was, by the dispute of two chieftains for the possession of Benevento, laid open to them. Radelgise called to his aid the Moors of Africa, and Siconulph those of Spain, both parties accepted the invitations, and each returned with a large booty and many captives. In 846, a Moorish band entered the Tiber, sacked the vicinage of Rome, took Fondi, carried off booty and prisoners, scoured the country south to Gaeta, and defeated a body of French troops sent to capture them. They did not re-embark until the following April, when they were lost in a storm. A number of those who came to Benevento continued in its vicinity, making occasional predatory incursions.

In 849, a company of Moors from Africa came to rendezvous at Tozar, in Sardinia, thence to make an incursion by the Tiber

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upon Rome. A fleet was fitted out at Naples, Amalfi, and Gaeta to intercept them; this expedition anchored at Ostia, where the Pope visited them, celebrated mass, and gave them communion, and returned to Rome. Next day the Moors hove in sight. The Neapolitans went out to meet them, and made a well-directed assault. The fleets were, however, separated by a storm, in which the chief part of the Moorish vessels were wrecked. Of those Saracens who got safe to the shore, several were killed in fight, some were hanged, and a large number were brought to Rome, where they were kept enslaved at the public works, and particularly on the walls which were now being built to enclose the Vatican and the church of St. Peter within the city, as this place, having previously been without the walls, had been plundered by the Moors in their piratical incursions in 846.

I have noticed these acts of the Saracens, as I shall the similar ones of the Northmen or Danes, in order to show why, though great efforts were made by many benevolent persons to abolish slavery or to mitigate its evils, those efforts were unsuccessful. I also desired, in giving this brief outline, to exhibit the clear distinction between domestic slavery and the slave-trade, and to show that, whilst the church tolerated the one, she always condemned the other.

I have the honour to be, sir,

Respectfully, &c.,

† JOHN, *Bishop of Charleston.*

Charleston, S. C., March 31, 1841.

LETTER XVII.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—The Christian religion had, in the eighth century, spread through a considerable portion of that territory now known as Germany, and had succeeded in mitigating the evils of slavery in the places where it had its due influence. Scandinavia, whose western boundary was the Atlantic or German Ocean, lay on both sides of that gulf, called, in the phrase of the writers of the ninth and tenth centuries, Mare Balticum and Mare Barbarum, both known in previous ages as the Sinus Codanus, and now as the Baltic Sea, the Gulf of Bothnia, and the Gulf of Finland. Its western boundary was that region, of then undefined extent and character, called Sarmatia. Generally, Scandinavia may be said to comprise Denmark, Norway, and Sweden of the present day. The Cimbri who occupied the present portion of Denmark known as Jutland, were, I may say, the only portion of the Scandinavian race that was beginning to be known in the days of Charles Martel. Accustomed to the stormy sea that raged and foamed about their coasts, this race of barbarians ventured to a distance in vessels of no mighty, formidable size, and in the middle of the eighth century, beginning to find their cold and barren regions fully stocked with inhabitants, ventured upon voyages of discovery. Scotland, as being the most convenient, was first troubled with their visits; and, about the year 790, they made a descent upon Ireland, in the reign of Doonchad or Donagh, the successor of Niel Frassach. Their incursion was made upon the small island of Rechran or Ragulin, which they laid waste, in 797. According to the Ulster Annals, they plundered and devastated *Innis Patrick*, now called *Holm Patrick*, carrying away several captives, among whom was a sister of St. Findan:—some time afterwards, he was himself made captive by another party of marauders, but he concealed himself in the cavern of a rock on one of the Orkney Islands, where they stopped; and, after their departure, making his way to Scotland, he was able to return home. He was subsequently one of the first monks of the monastery of Rhingaw, in the Duchy of Nassau, and near which he was for many years a recluse. After his death and the belief of his salvation, he was chosen patron of that monastery.

In 793, or the fifth year of Ethelred or Ethelbert, on the 7th of June, they commenced the plunder of the fine abbey of Lindisfarne. The following is extracted from Lingard's History of the Anglo-Saxon Church:

"In the year 793, the inhabitants of Northumbria were alarmed by the appearance of a Danish armament near the coast. The barbarians were permitted to land without opposition. The plunder of the churches exceeded their most sanguine expectations: and their route was marked by the mangled carcases of the nuns, the monks, and the priests, whom they had massacred. But historians have scarcely condescended to notice the misfortunes of other churches: their attention has been absorbed by the fate of Lindisfarne. That venerable pile, once honoured by the residence of the Apostle of Northumbria, and sanctified by the remains of St. Cuthbert, became the prey of the barbarians. Their impiety polluted the altars, and their rapacity was rewarded by its gold and silver ornaments, the oblations of gratitude and devotion. The monks endeavoured, by concealment, to elude their cruelty;

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but the greater number were discovered; and were either slaughtered on the island, or drowned in the sea. If the lives of the children were spared, their fate was probably more severe than that of their teachers; they were carried into captivity."

We find, also, that Charlemagne, in the month of March, 800, visited the German coast, to have proper precautions taken against the incursions and ravages of the Northmen or Danes, who had already plundered several places and carried off captives.

In 802, they made another incursion on Ireland and burned the famous monastery of Hy, and repeated their visit four years after, in 807, penetrating as far as Roscommon; they destroyed the town and ravaged the country, carrying off several captives; but in 812, the Irish made a determined resistance, and after three signal defeats, the Northmen escaped from the island.

This, however, was but a short respite; for, in five years afterwards, the Norwegian Turgesius brought with him an immense force, with which he overran a large portion of the island; his arrival was in 835, but during the twelve previous years, Cork, Lismore, Armagh, Monaghan, Louth, and several other cities and towns, together with their territories, were plundered by those idolaters; the greater portion of their clergy, and monks, and nuns were massacred, many of the inhabitants taken into captivity, and several of the most pious and learned men migrated to the continent, where several of them were elevated to bishoprics, others placed at the head of monasteries, and not a few were employed in the professorships of universities then beginning to be founded.

The horde that accompanied Turgesius was the most numerous and the most savage that had yet appeared; and, within three years, it had nearly overrun Connaught, Leinster, and Ulster. Two large additional fleets brought an immense accession of the savages in 837; one of them entered the river Boyne and the other came up the Liffey; the masses which they poured upon the country, spread in all directions over its surface, committing every kind of excess.

We have a curious exhibition in 848, after Emly had been destroyed by the Northmen: Olchobair Mackinede, who had been abbot and bishop of that see, was made King of Munster, and uniting his troops with those of Dorcan, King of Leinster, was seen leading the armies to victory over the pagans. The Archbishop of Armagh, Forannan, who was primate of all Ireland, was, however, in this same year, made captive by Turgesius, who sent him, his clergy, and the church furniture, with about seven hundred other captives, to Limerick, to be carried into slavery. Melseachlin, King of Ireland, sent ambassadors to make a treaty with Charles the Bald, who then was the successor of Charlemagne upon the throne of France, and who was also harassed by the Scandinavians. Turgesius was defeated by the Irish monarch, made captive, and drowned: the Irish rose on every side upon their oppressors, and nearly drove the barbarians from the country.

The English heptarchy, at this time, suffered equally as did Ireland, and with less intermission.

In 850, Dublin was invaded by a large body of Northmen, whom the Irish denominated *Fin-gâl*, or *White Strangers*, and another body called *Dubh-gâl*, or *Black Strangers*, who succeeded in keeping a foothold in Leinster and a part of Ulster, and in making captives.

In the year 835, a large party of them entered the Loire in France, and fixed their head-quarters in the island of Hero, now called Noirmoutier, whence they made their incursions. The festival of All Saints had, long previous to this, probably upwards of two centuries, been in Rome observed on the first of November, as it still continues to be, by a regulation of Pope Boniface IV., who died in 615. From the Chronicle of Sigebert, we learn that the Emperor Louis, finding the bishops of France and of Germany anxious to have its observance on the same day, regulated for that purpose with Pope Gregory IV., and being harassed by the incursions of the Scandinavian pirates and of the Saracens, in ordaining the office the following was directed to be sung in the hymn for matins:

"Auferte gentem perfidam,
Credentium de finibus;
Ut unus omnes unicum
Ovile nos Pastor regat."

"Take far away the wicked bands
Beyond the pale of Christian lands;
That Christ's one pastor thus may keep
In but one fold his ransomed sheep."

Hilberd, the Abbot of Noirmoutier, applied to Pepin, King of Aquitaine, for aid: but, as the island was considered indefensible against the pirates, it was decided to withdraw from it the relics of St. Filibert, its patron.

The French writers describe the Danes as now pouring in multitudes upon their northern coasts, to carry away captives into

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slavery and to load their vessels with booty. On the 12th of May, 841, they entered the Seine, whilst the sons of Louis were yet engaged in their unfortunate broils with each other, and Charles the Bald had become king. Ascending the river, they sacked Rouen, burning the monastery of St. Ouen, at that time outside the walls; leaving this place, they burned the monastery of Jumieges; that of Fontanelle was spared upon a ransom, and the monks of St. Denys paid them twenty-six pounds of silver for the ransom of sixty-eight captives. On the last day of May they re-embarked, after having, within nineteen days, devastated an immense region along the banks of this river.

In 843, they ascended the Loire, in the month of June, and took the city of Nantes by escalade. It was at the time filled with the inhabitants of the neighbouring country, who had assembled to celebrate the festival of St. John the Baptist, June 24th. These retired to the cathedral, where the bishop and his clergy were, and shut the gates: those the Danes soon burst open, and committed dreadful carnage, carrying off immense booty and some captives, whom they sent to their ships, whither they were followed by some Christians, who brought money to ransom their friends.

In 844, they went farther south, up the Garonne, and pillaged Toulouse. Some, who made an inroad upon Gallicia, in Spain, were driven off by the Saracens. In 845, Raigner or Ragner Lodbrog, one of their vikings or sea-kings, entered the Seine with twenty-six vessels, landed at Rouen, in March, and spread terror and devastation on every side. At Chavelanne, near St. Germain-en-Laye, they were informed that the monarch, Charles the Bald, was marching at the head of an army to attack them; they crossed the river to the side which was but feebly defended, continued their devastations, leaving in their rear several Christians hanging on trees, stakes, and even in the houses. They entered Paris on Easter Saturday, March 28th, and found the city and its environs nearly deserted. Charles, reluctantly, but with the advice of several of his lords, made a treaty with them, in which they swore by their gods and all that they held sacred, not to re-enter his kingdom, except upon his invitation, and he paid them seven thousand pounds of silver.

The pirates, however, after leaving the Seine, ravaged a portion of the sea-coast, and on their homeward voyage were wrecked on the Northumbrian coast, where the survivors, among whom was Ragner, began to plunder; but they were attacked by Ælla, who had usurped the throne of that kingdom. The pirate was taken and put to death. Ragner had ten sons, who vowed to revenge their father's death. At the head of a formidable fleet they approached the coast of East Angles, landed, and lived during winter on free quarters, and in the spring marked their advances to Northumbria, in lines of blood and ruin. Ælla fell into their hands, and suffered dreadful torture. Berenicia shared the fate of Deira, and during seven years Halfdene was engaged in the work of devastation.

They did not lose sight of Ireland, and in 850 they compelled the monarch Melseachlin to make a treaty with them, by means of which they made several settlements.

In 845, they were defeated in their first enterprise upon Friesland, but, succeeding in two others, they gained a footing also here. An immense body of the Scandinavians sailed up the Elbe with six hundred vessels, large and small, under King Roric. St. Anscarius, Archbishop of Hamburg, at first thought to defend that city, but soon saw the folly of the attempt, and withdrew with what he could remove. The city was burned, but several captives were taken through the country. The forces of Roric were now poured upon Saxony; but they met a signal defeat, and their leader, learning the disasters of Ragner, sent messengers to Paderborn, where Louis, King of Germany, was then holding an assembly of his states, and was receiving to his alliance the people of Sclavonia and Bulgaria, who sent deputies to request that they might be also instructed in the Christian doctrine. The Scandinavians sued for peace, which they received upon the release of the persons whom they had taken to be their slaves, and the return of what booty they had.

The zeal of the holy Archbishop of Hamburg had previously prompted him to send missionaries into Scandinavia, to instruct those barbarians in the Christian religion, but Gausbert, whom he had consecrated bishop to carry the light of truth into Sweden, was with his companions driven thence by the people, after having been robbed of whatever goods they had.

The Normans, who succeeded in Friesland, proceeded by that side into France. Flanders fell under their assaults. Another division, in 848, sailing up the Garonne, laid siege to Bordeaux, which was betrayed into their hands by the Jews. After ravaging Aquitaine, they went to the district of Poictiers, or Poictou, whence they carried great booty. Roric, with his followers, after leaving the Elbe, went to the Rhine and the Scheldt, destroyed the monasteries as far as Ghent,

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and the Emperor Lothaire, being unable to subdue him, was content to receive him as his vassal, and gave him the large tract of territory which he had previously occupied. Godfrey, another of their chieftains, repulsed in an attack upon England, sailed up the Seine in 850; and after some achievements, obtained from Charles a territory round Beauvais in 850. Thus did the Northmen begin to make permanent settlements in the more southern regions of Europe, and an opportunity was thus given of bringing them to civilization and to Christianity. The history of this period, however, is a calamitous series of recitals of devastations committed by successive hordes of Northmen, and armies and squadrons of Saracens, upon those churches which had begun to be reduced to discipline, after the centuries of war and plunder by the Huns, the Goths, and the Vandals.

In 856 and 857, Paris and all the region between it and the British Channel were plundered with impunity, as also nearly all the region on the Atlantic coast of France as far in as Orleans; the churches, as usual, were either sacked or redeemed, and multitudes of captives carried away to slavery. This necessarily destroyed all notion of justice and all peace, and the capitularies of the monarchs, as well as the canons of the councils, exhibit the ruin of morality. We find, in 850, the greater number of the prelates and chief men of the vicinity of Flanders slain or in captivity. We find the pirates had circumnavigated Spain, entered the gulf of Lyons, committed depredations in Provence, and made incursions upon Italy; and in 861 the Seine was again infested, and Paris was terrified by seeing the Northmen at her gates, and two years afterwards the kingdom was scandalized by the apostacy of Pepin, the nephew of Charles and son of Pepin, King of Aquitaine, who had become a monk, and, when his father's realms were ravaged by this horde, publicly renounced the Christian religion, embraced their idolatry, and joined their forces. He was subsequently taken by his uncle's troops, recanted his errors, did public penance, and returned to his monastery.

In 883, after the death of Louis, King of Germany, and the withdrawing of the troops who kept the Normans in check, they poured themselves on both sides of the Rhine, as high up as Coblentz; they overran Flanders, and made a stable of the fine chapel of Charlemagne, at Aix-la-Chapelle—a favourite usage of the French revolutionary soldiers, about forty or fifty years ago; I have seen some of the finest churches in France and Italy, which those desecrators of the holy name of liberty had thus profaned. The Emperor, Charles the Bald, returning from Italy, besieged a large body of them in a fortified camp near the Rhine. A treaty was made, and Godfrey with his band besought baptism, and received the duchy of Friesland. Sigefrey, the other chieftain, promised peace, upon receiving a large contribution.

Alfred, known, and deservedly so, as the Great, was the youngest of five sons of Ethelwulf, King of Wessex, and was born in 849. At the age of five years, his father declared him king of a portion of his dominions, and sent him to Rome, where he received the sacrament of confirmation and the regal unction from Pope Leo IV. Two years afterwards, Ethelwulf himself went to the Holy See, taking Alfred with him. In 872, Alfred became king of Wessex, upon the death of his brother Ethelred. This is not the place to dwell upon the history of his disasters or of his virtues. You are aware of his being obliged to conceal himself in the morasses of Somersetshire, and of the almost miraculous manner in which an opportunity was subsequently afforded him, of placing himself at the head of a body of his faithful followers, and how victory after victory enabled him to free his people from the Danish yoke. Gothrun, the Dane, submitted, and was received upon conditions, one of which was to embrace the Christian religion. He was instructed, and baptized by the name of Athelstan, Alfred himself being his sponsor; and, as Lingard remarks, "the followers of Guthrun gradually adopted the habits of civilized life; and, by acquiring an interest in the soil, contributed to protect it from the ravages of subsequent adventurers."

Alfred applied himself to revise the laws, to protect and to re-establish religion. He was a most pious and exemplary monarch. He created a navy, seeing that it must be the best natural bulwark of the island; he instituted the mode of trial by jury; he was also a patron of literature, which he sought to restore and to extend.

France was during this period so completely overrun by the pagans in many places, that thousands of Christians, to escape death or bondage, publicly renounced their religion and embraced the pagan rites. We have, however, an interesting account of the resistance made by Paris, which then only occupied the island in the Seine, to the passage of their vessels. The Emperor Charles the Fat, had confided it to Gozlin, its bishop; and he not only animated the people to its defence, but fought at their head, with his nephew Ebolus, an abbot,

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Odo, Eude, Count of Paris, and Robert his brother. The Normans continued the siege for many months, until the last day of January, 886, when they turned the siege into a blockade, which continued during a year. The Normans carried their vessels two miles over land beyond the city, and sailed up, ravaging the country. The emperor at last relieved the city by a dishonourable peace.

In 893, a fleet of three hundred and thirty sail assembled in the port of Boulogne, in France, under the command of Hastings, one of the most renowned of the sea-kings, for the purpose of conquering for him a kingdom in Britain. By force and stratagem they, during three years, contended against Alfred; and in place of being sustained against them by the Danes, to whom he gave a settlement in his dominions, he discovered that most of them took advantage of his position to return to the work of plunder. Alfred, by patience, by exertion, and by tactics, subdued them all, restored their prisoners, and obtained from Hastings a promise to leave the island for ever. Returning to France, this chief made incursions from the banks of the Seine, and before the close of the century, making a treaty with King Charles the Simple, he obtained the city of Chartres and the adjoining territory.

Having thus brought to your view the situation of England, of France, and of the Low-Countries under the Northmen, to the close of the ninth century, I return to Ireland.

In 853, a sea-king, who is indifferently styled Amlave, Auliffe, and Olave, accompanied by his two brothers, Sitric and Ivar, arrived in Ireland from Norway, with additional forces, and was acknowledged chieftain by all the Northmen in the island. Auliffe took possession of Dublin, which he enlarged. Ivar settled in Limerick, which he greatly improved, and Sitric began the building of Waterford. War raged between them and the Irish, and between parties of the Danes against each other; and intestine divisions existed also amongst the Irish, so that carnage and slavery for years devastated the island. The success was various. In 860, Melseachlin, the king, defeated Auliffe with great slaughter; and nine years subsequently this latter plundered Armagh, burned its sacred edifices, and took a large number of captives. In the next year the two brothers, Anliffe and Ivar, made a descent upon Scotland, and burned Dunbarton. Auliffe died soon after his return in 871, and was succeeded by Ivar, who died in 873. In 884, they plundered Kildare, and carried away nearly 300 captives to their ships. In 895, Armagh was again devastated, and 710 captives carried away; soon after this the Danes were defeated and driven from Dublin by the men of Bregh, headed by Maol-Finia, the son of Flanagan, and by the Leinster forces, commanded by Carrol. In other parts of the island they also, at this period, suffered great defeats.

Not the least curious of the discoveries which are made from a perusal of the ancient documents which remain to us, is the wonderful disposition by which Divine Providence causes even the crimes of men to be made subservient to the ends of mercy. In examining the way in which the Irish who had been carried into slavery by the Northmen were distributed, I see that, although Iceland did not generally receive nor long retain the truths of the Gospel, yet they were published therein by some of the Irish captives that were carried thither by the Norwegians in this century. They who desire more information on the subject, can consult Lanigan's Ecclesiastical History of Ireland, vol. iii., c. 20, § 4, and c. xxii., § 2.

I cannot, sir, better conclude this letter than by submitting to you the following remarks of the learned historian, Dr. Lingard, taken from chap. xxi. of his "Antiquities of the Anglo-Saxon Church."

"The numerous massacres of the war had considerably thinned the population of the country; and, to supply the deficiency, Alfred had adopted an obvious but inadequate expedient, in the naturalization of several thousand Danes. In every county the strangers were intermixed with the natives. In East Anglia and Northumbria their numbers greatly exceeded the descendants of the ancient inhabitants. If the sacred rite of baptism had entitled the barbarians to the appellation and privileges of Christians, their manners and notions still reduced them to a level with their pagan brethren. The superstition of Scandinavia was in many places restored. The charms and incantations of magic amused the credulity of the people; the worship of Odin was publicly countenanced, or clandestinely preserved; and oaths and punishments were often employed in vain to extort from these nominal converts an external respect for the institutions of Christianity. The morals of many among the Anglo-Saxons were scarcely superior to those of the naturalized Danes During the long and eventful contest, the administration of justice had been frequently suspended; habits of predatory warfare had introduced a spirit of insubordination; and impunity had strengthened the impulse of the passions. To the slow and tranquil profits of industry, were preferred the violent

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but sudden acquisitions of rapine: the roads were infested with robbers, and the numbers and audacity of the banditti compelled the more peaceable inhabitants to associate for the protection of their lives, families, and property. The dictates of natural equity, the laws of the Gospel, and the regulations of ecclesiastical discipline were despised. The indissoluble knot of marriage was repeatedly dissevered at the slightest suggestion of passion or disgust; and in defiance of divine and human prohibitions, the nuptial union was frequently polluted and degraded by the unnatural crime of incest. To reform the degeneracy of his subjects, Alfred published a new code of laws, extracted from those of his predecessors and of the Jewish legislator; and the execution of forty-four judges in one year shows both the inflexible severity of the king, and the depravity of those whose duty it was to be the guardians of national morals. That his efforts were attended with partial success, is not improbable; but, from the complaints and improvements of later legislators, it is evident that it required a succession of several generations before the ancient spirit of licentiousness could be suppressed and extinguished."

This, sir, though written only for the state of England, is, by parity of circumstances, fairly applicable to the greater portion of the Christian world at that period. Of that, however, more hereafter.

I have the honour to be, sir,
Respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., April 8, 1840.

LETTER XVIII.

To the Hon. John Forsyth, Secretary of State, United States.

SIR:—In continuing to exhibit the outline of the ravages committed by the Northmen and the Saracens, my object is to show the grounds upon which I shall explain, why so many ages passed away subsequently to the promulgation of Christianity, before Christendom was delivered from the evils of predatory incursions, and the extensive prevalence of domestic slavery. In reviewing history, it is folly to substitute speculation for the recital of facts; and it is upon this ground that I prefer the tedious recital which I give, to getting through in a couple of dashing letters, which would give less information to the understanding, though they might be better calculated to glitter before the imagination.

We have seen that nearly all the northern coast of France was, if not in possession, yet at least in the power of the Danes or Northmen, at the close of the ninth century. Many of them, yielding to the zeal of some of the clergy, had embraced the Christian religion; and amongst those who were most devoted to their instruction was Hervey, Archbishop of Rheims, who consulted Pope John X. upon the subject. Charles the Simple, finding himself unable to repress their incursions, by the advice of his nobles, treated with them; Francon, Archbishop of Rouen, was the mediator. Charles gave in full fee to Rollo, the Danish chief, all that province thenceforth known as Normandy, and his daughter Gisle, as his spouse. Rollo promised to become a Christian, and to do homage as a vassal of the crown of France for the dukedom, of what was subsequently known as Britanny. In 912, having been instructed by Francon, Rollo was baptized by the name of Robert, and married Gisle, the daughter of Charles III., or the Simple. The greater number of his leading officers, following the example of their chief, were instructed, baptized, and made alliance with the Franks. Normandy and Britanny became thus in some measure settled, but it took many years to bring other parts of the country into a similar position. Even in Britanny, as late as 942, we find the civil war, conspiracy, and treason, fomented by Pagans, who sought to subdue those that professed Christianity. In 943, William Longsword, Duke of Normandy, was thus slain by Arnold, Count of Flanders. Hugh, Duke of France, was engaged in almost continual war with a large body of Pagans who occupied Evreux and the surrounding regions. Louis IV., or the Foreigner (D'outre mer), had severe contests with Tourmond, a Norman apostate, who sought to bring Richard, son of William Longsword and his Normans back to idolatry, and who for this purpose, had formed an alliance with one of the Northern chiefs, called Sethric, or Sithric, who probably was one of those in Ireland. The confusion and barbarity of the times was not a little aided by the scandals of some of the prelates, who had been either placed in their seats or protected upon them by the warriors of the day, who were often enemies of religion.

In England, after the death of Alfred, in 901, there continued peace for some time, but Ethelwold, the nephew of this monarch, having disputed the succession with Edward, the son of Alfred, and finding himself the weaker, had recourse to the Danes then settled in Northumbria, but they were defeated in their efforts to sustain him, and the un-

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fortunate aspirant himself was slain. "After the death of Ethelwold," writes Lingard, "five years elapsed without any important act of hostility: in 910, Edward conducted his forces into Northumbria and spent five weeks in ravaging the country, and collecting slaves and plunder. The next year, the Northmen returned the visit."

After many minor efforts, the great contest for the possession of England took place in 937, between Aulaff, the Dane, and Athelstan, the grandson of Alfred, and after terrible carnage, it was decided in favour of the latter at Brunanburgh, in Northumbria; by this result, Athelstan became in reality the first King of England. Louis IV. of France, was son of Charles the Simple, by his wife Edgiva, the sister of Athelstan: when Charles was cast into prison by the treachery of Herbert, Count of Vermandois, the Queen of France fled to her brother in England, who became the protector of her son Louis, during thirteen years, whence this latter received the surname of *D'Outre mer*.

"Athelstan died in 940, having done much to perfect the institutions which Alfred had re-established or founded and improved. He was succeeded by Edmund, with whom Auliffe or Aulaff, who had for some time been settled in Dublin, Ireland, contended, as he had done with his brother and predecessor Athelstan, for the dominion of England. The Dane was more successful against Edmund than he had been against Athelstan, but he died in 941, and Edward recovered the territory over which his father had held dominion. He was assassinated in 946. His widow, Edgiva, is said to have been a princess of exemplary virtue, whose solicitude for the relief of the indigent, and charity in purchasing the liberty of slaves, amongst other acts of piety, have been highly extolled by our ancient writers."*

We have seen that in Ireland, in 902, the Northmen who had possession of Dublin and other parts of Leinster, were defeated and expelled by the people of that province under the command of Carrol, and by the men of Bregh under Maol Finia, who subsequently became a monk in Holmpatrick, and died in the reputation of great sanctity, in 903. They however returned, about ten years later, and a party that landed at Waterford, in 914, were put to the sword. Another division, however, succeeded in plundering Cork, Lismore and Aghadoe: and about the year 916, they were again in possession of Dublin, and ravaged a large portion of Leinster, killing Angare Mac Olioll, king of that province. They were attacked near Dublin, in 919, by Niell Glunndubh, King of Ireland, but they made a desperate resistance under the command of their chiefs Ivar and Sitric: the Irish monarch was slain together with several of his choice nobles and the flower of his army. In the next year, Donogh who succeeded Niell, avenged the death of his father, but though the barbarians were signally defeated, yet we find them, in 921, march, under the command of their King Godfrey, from Dublin to Armagh and plunder the city; and here is also the first instance in which we perceive, in Ireland, the churches and the officiating clergy to have been spared; this leads to the supposition, that there must have been in that band several who had embraced the Christian religion either in France or in England, or perhaps in both countries.

In 925, Aulaff or Auliffe, a son of Sitric, king of Northumbria, flying before Athelstan, went to Ireland, where he found many of his friends; we find also another Auliffe there, who is called son of Godfred, though perhaps it may be the same, and that his father took the name of Godfred in place of Sitric. He with a number of others committed several depredations in nearly all parts of the island for more than twenty years. In 947 and 948, they suffered two severe defeats from Congall II., in the latter of which, their King Blacar and the most efficient of his army were slain. It is conjectured by the historians of the day, that those defeats caused a large body of them, for the first time in Ireland, to offer themselves as converts to Christianity. Be the cause what it may,—the fact is well established that in this year, large bodies of the Northmen in Ireland embraced the Christian religion, though many of them retained their predatory habits; as the subsequent history of the island proves.

But that which most forcibly strikes the observer is the fact that not only in Ireland, but in France, in England and Flanders, the new converts to the faith appear to have been but little changed as a body, so far as regarded their piratical habits. Occasionally, indeed, we find that their conduct to their captives was not so cruel, and sometimes they spared the edifices of religion and the clergy. Nor was it only in those regions which they invaded, that they assumed the Christian name. Zealous missionaries had been also labouring during the entire of the tenth century in their own northern cradle, and though encountering formidable difficulties yet were their efforts in the holy cause crowned with no inconsiderable success; and though fleets were

* Lingard's History of England, ch. iv.

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fitted out, expeditions undertaken, and invasions made, still there was some little mitigation of the attendant evils. From 980 to the close of the century, their incursions and conflicts desolated England, especially under Sweyn and Olave, in 995; this latter had already embraced the doctrines of Christianity; when he and his associate had convened for sixteen thousand pounds to withdraw their troops; Olave accompanied two prelates to Andover, where he received the sacrament of confirmation from the Bishop of Winchester, and promised Ethelred, who then was the English monarch, never again to draw his sword against his Christian brethren. He kept the pledge and returning to Norway, engaged in efforts to convert his subjects until he was slain by Sweyn. In 1001, a party of the Northmen from the opposite shores of France, committed great depredations on the south-western parts of Ethelred's dominions. In the next year, by the intervention of Pope John XV., through his legate Leo, assistant Bishop of Treves, the first written treaty extant between an English king and a foreign prince, was made, to establish lasting peace between Ethelred and Richard, Duke or Marquis of Normandy; this was sealed by the marriage of Ethelred, then a widower, with Emma, daughter of Richard; but the neglect with which Ethelred treated his young queen, and an atrocious massacre which he planned and executed on the 13th of November of the same year, destroyed all prospect of harmony. On this day, by preconcert, the Saxons rose upon the Danes throughout the island and a general massacre took place, not only of pagans but of Christians; not only of those who had settled by force in the island, but of those who had been legally naturalized; amongst the victims was Gunhilda, the sister of Sweyn, who had embraced Christianity and married Palig, a naturalized Northman. Sweyn, during the next four years, ravaged the country in revenge, and did not cease until he got thirty-six thousand pounds of silver. He, keeping the letter of his treaty, violated its spirit, for though he remained at home, he secretly permitted Turchill to proceed with a fleet to renew the depredations. Canterbury amongst other places was taken, from which, after great massacre, eight hundred captives were reserved for bondage or ransom; the primate Elphege was kept during several weeks prisoner in expectation of a ransom of three thousand pounds, and as he refused to send to his clergy or to his friends for the money, he was put to death on Easter Saturday, whilst preaching to his captors.

The Northman then, for a sum of forty-eight thousand pounds, sold his services to the King of England, and many of his followers accepted settlements in the island, whilst the crews of forty-five ships swore allegiance to the English monarch. It is useless to exhibit the struggles subsequently between Ethelred and Sweyn, the contests between Edmund Ironsides and Canute the Dane. It will suffice to state, that in 1017 Canute became the monarch of England, confirming his possession of the throne by his nuptials with Emma, the widow of Ethelred. In the laws which this monarch published, is a severe ordinance against the custom of sending *Christians* to be sold into slavery in foreign countries, thereby exposing them to the danger of falling into paganism. Upon the death of Canute, Harold, one of his illegitimate sons, took possession of the English throne. Alfred, a half-brother of Edmund Ironsides, came from Normandy in the hope of being able to compete with him, but was seized upon, on the night after he had landed, together with his followers,—some were liberated, some were condemned to slavery, and the others put to cruel deaths. Edward the Confessor succeeded, and thus was the Saxon line reinstated upon Harold's death This pious monarch restored as far as he could, the dominion of law, mitigated the oppression of the slave and of the vassal, and strove to extend the influence of religion; he also did much to place the liberty of the subject upon a solid basis. Harold filled up the short interval which marks the period from the death of Edward to the battle of Hastings, in which William, Duke of Normandy, a descendant of Rollo, by a desperate effort won the throne of England, and Harold perished in the field, and thus a new order of government commences under the successful descendant of the Northmen.

I shall here copy from the Appendix I., of Dr. Lingard's History of England, his general description of slavery in England under the Anglo-Saxon dynasties.

"The several classes, whose manners have been hitherto described, constituted the Anglo-Saxon nation. They alone were possessed of liberty, or power, or property. They formed, however, but a small part of the population, of which, perhaps, not less than two-thirds existed in a state of slavery. That all the first adventurers were freemen, there can be little doubt; but in the course of their conquests, it is probable that they found, it is certain that they made a great number of slaves. The posterity of these men inherited the lot of their fathers; and their number was continually increased

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by the free-born Saxons, who had been reduced to the same condition by debt, or had been made captives in war, or had been deprived of liberty in punishment of their crimes, or had spontaneously surrendered it to escape the horrors of want. The degradation and enslavement of a freeman were performed before a competent number of witnesses. The unhappy man laid on the ground his sword and his lance, the symbols of the free, took up the bill and the goad, the implements of slavery, and falling on his knees, placed his head in token of submission under the hands of his master.

"All slaves were not, however, numbered in the same class. In the more ancient laws, we find the esne distinguished from the theow; and read of female slaves of the first, the second, and the third rank. In later enactments we meet with bordars, cocksets, parddings, and other barbarous denominations, of which, were it easy, it would be useless to investigate the meaning. The most numerous class consisted of those, who lived on the land of their lord, near to his mansion, called in Saxon, his tune, in Latin, his villa. From the latter word, they were by the Normans denominated villeins, while the collection of cottages in which they dwelt, acquired the name of village. Their respective services were originally allotted to them according to the pleasure of their proprietor. Some tilled his lands, others exercised for him the trades to which they had been educated. In return they received certain portions of land with other perquisites, for the support of themselves and their families. But all were alike deprived of the privileges of freemen. They were forbidden to carry arms. Their persons, families, and goods of every description, were the property of their lord. He could dispose of them as he pleased, either by gift or sale; he could annex them to the soil or remove them from it; he could transfer them with it to a new proprietor, or leave them by will to his heirs. Out of the hundreds of instances preserved by our ancient writers, one may be sufficient. In the charter by which Harold of Buckenhale gives his manor of Spalding to the Abbey of Croyland, he enumerates among its appendages, Colgrin, his bailiff; Harding, his smith; Lefstan, his carpenter; Elstan, his fisherman; Osmund, his miller, and nine others, who probably were husbandmen; and these with their wives and children, their goods and chattels, and the cottages in which they live, he transfers in perpetual possession to the abbey.

"It should, however, be observed, that the hardships of their condition were considerably mitigated by the influence of their religion. The bishop was appointed the protector of the slaves within his diocess; and his authority was employed in shielding them from oppression. Their lords were frequently admonished that slave and freemen were of equal value in the eye of the Almighty: that both had been redeemed at the same price; and that the master would be judged with the same rigour as he had exercised towards his dependants. In general, the services of the slave were fixed and certain: if he performed them faithfully, he was allowed to retain his savings, and many of those who cultivated portions of land, or had received permission to exercise their trades in the burghs, acquired a comparative degree of opulence, which enabled them to purchase their liberty from the kindness or avarice of their lords. Even the laws suppose some kind of property in the slave, since they allow him to commute the legal punishment of whipping for a fine of six shillings, and fix the relief of a villein on a farm at the price of his best beast.

"The prospect of obtaining their freedom was a powerful stimulus to industry and good behaviour. Besides those who were able to purchase it themselves, many obtained it from the bounty of benefactors. Some were emancipated by the justice and gratitude of their masters; others owed their freedom to motives of religion. When the celebrated Wilfrid had received from Edelwalch, King of Sussex, the donation of the isle of Selsey, with two hundred and fifty male and female slaves, the bishop instructed them in the Christian faith, baptized them, and immediately made them free. Their manumission was an act of charity frequently inculcated by the preachers: and in most of the wills which are still extant, we meet with directions for granting liberty to a certain number of slaves. But the commiseration of the charitable was more excited by the condition of *wite theow* (those who had been reduced to slavery by a judicial sentence) than of such as had been born in that state, and had never tasted the blessings of liberty. By the bishops in the Council of Calcuith, it was agreed to free, at their decease, every slave of that description; and similar provisions are inserted in the wills of the lady Wynfleda, of Athelstan, son of King Ethelred, and of Ælfric, Archbishop of Canterbury. Their manumission, to be legal, was to be performed in public, in the market, in the court of the hundred, or in the church at the foot of the principal altar. The lord,

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taking the hand of the slave, offered it to the bailiff, sheriff, or clergyman, gave him a sword and a lance, and told him that the ways were open, and that he was at liberty to go wheresoever he pleased.

"Before I conclude this subject, it is proper to add that the sale and purchase of slaves publicly prevailed during the whole of the Anglo-Saxon period. These unhappy men were sold like cattle in the market; and there is reason to believe that a slave was usually estimated at four times the price of an ox. To the importation of foreign slaves no impediment had ever been opposed; the export of native slaves was forbidden under severe penalties. But habit and the pursuit of gain had taught the Northumbrians to bid defiance to all the efforts of the legislature. Like the savages of Africa, they are said to have carried off, not only their own countrymen, but even their friends and relatives; and to have sold them as slaves in the ports of the continent. The men of Bristol were the last to abandon this nefarious traffic. Their agents travelled into every part of the country; they were instructed to give the highest price for females in the state of pregnancy; and the slave ships regularly sailed from that port to Ireland, where they were secure of a ready and profitable market. Their obstinacy yielded, however, not to the severity of the magistrates, but to the zeal of Wulstan, Bishop of Worcester. That prelate visited Bristol several years successively, resided for months together in the neighbourhood, and preached on every Sunday against the barbarity and irreligion of the dealers in slaves. At last the merchants were convinced by his reasons, and in that gild solemnly bound themselves to renounce the trade. One of the members was soon after tempted to violate his engagement. His perfidy was punished with the loss of his eyes.

"We have still to consider a class of men, partly free, and partly slaves, the inhabitants of the cities, burghs and ports, which were the property sometimes of one, sometimes of several opulent individuals. The burghers were in general tradesmen and mechanics, divided into two classes: the one of men who held their houses by a fixed rent, and were at liberty to quit them when they pleased; the other of villeins, or the descendants of villeins, who had been permitted to migrate from the country for the benefit of trade, and lived in houses which were considered as portions of the manors to which the original settlers had belonged.—The burghers were still annexed to the soil, and transferable with it; and were still compelled to do service in like manner with their brethren in the country. But all possessed superior advantages. They were better protected from the attack of an enemy; they enjoyed the benefit of a market for the sale of their wares.—They formed gilds or corporations, which guaranteed the good conduct of their members, and were under the government of the reeve or chief lord. But the privileges and burdens, the customs and services of the inhabitants of different burghs, and frequently of those in the same burgh, were so various, complex, and contradictory, that it is impossible to arrange them under distinct heads, or to describe them with accuracy.—They originated in the wants, the caprice, the favour of the several proprietors; and those who desire a more ample gratification of their curiosity on this subject must have recourse to the authentic pages of Domesday."

In Ireland, after the conversion of the Northmen had commenced, as we have previously seen, in the year 948, we have nearly a repetition of the former scenes of turmoil, until the power and spirit of this formidable and restless race were broken at Clontarf, near Dublin, on the 23d of April, (Good Friday) in the year 1014, when they suffered an irrecoverable defeat from the Irish forces under the command of the celebrated monarch, Brian Boroimhe, who at the age of 88 years drew up his troops in good order and led them to victory. Though in its results Ireland had to rejoice in the perfect overthrow of those ruthless invaders, yet had she to weep over the bodies of Brian, of his son Morogh, who fell in the 63d year of his age, and of his grandson Turlogh, together with those of a host of the nobility and most valiant warriors who fell for the liberation of their country.

Here, sir, I shall close what I had to remark of the impediments created in England and in Ireland to the progress of religion and the mitigation of slavery by the piratical Northmen. I shall have still to unfold more of the difficulties upon the continents of Europe and of Asia.

I have the honour to be, sir,
Respectfully, &c.,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., April 23d, 1840.

[The short note which follows was sent by Bishop England to the Editor of the "*Miscellany*," after suspending the publication of his letters.]

To the Editors of the U. S. Catholic Miscellany.

GENTLEMEN:—My more pressing duties will not permit me for some weeks to con-

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tinue the letters on the compatibility of domestic slavery with practical religion. I have been asked by many, a question which I may as well answer at once, viz.: Whether I am friendly to the existence or continuation of slavery? I am not—but I also see the impossibility of now abolishing it here. When it can and ought to be abolished, is a question for the legislature and not for me.

Yours, with esteem,

† JOHN, *Bishop of Charleston.*

Charleston, Feb. 25, 1841.

CONTRIBUTIONS TO THE ECCLESIASTICAL HISTORY OF AMERICA.

STRICTURES ON SOME MISSTATEMENTS OF THE NORTH AMERICAN REVIEW,

ON THE BULL OF THE CRUSADES, AND THE STATE OF CATHOLICITY IN SOUTH AMERICA.

[This Essay, occasioned by an article in the N. American Review for July, 1824, in which were contained some vague and general denunciations of the corruption of the Catholic religion in the South American States, is chiefly devoted to an exposure of some of the historical fallacies and misrepresentations of laws, usages, and doctrines, upon which such charges are usually founded. The greater part is occupied with an accurate explanation of the Bull of the Crusades and the Bull of Composition, with the special privileges enjoyed by force of these in the dominions of the King of Spain. The essay was published in the "United States Catholic Miscellany," Vol. III. for 1824.]

SECTION I.

THE NORTH AMERICAN REVIEW.

IT is not without feelings of deep regret that we are compelled to charge the editor of this work with having done serious injustice to our religion in his number for July last. We hope, we trust, it was on his part unintentional,—yet, whatever might have been his motive and his impression, the fact is that he has libelled the Roman Catholic religion. Were the facts which he alleges true, we should not dissent from his conclusions; for some of those he adduces the authority of writers whom he, we suppose, believed to be good witnesses. We would then exculpate him from so much: but he states other facts as if he had before him the documents upon which he rested as authority,—and if he had those documents, and read them with the slightest attention, upon reperusing his own article he must perceive a total aberration in his statements.

The article of which we complain is Art. X. p. 158, on South America. In all that he writes concerning the political bondage of the Spanish colonies, whatever our convictions or feelings may be, we at present have no concern. In all his hopes and wishes for the welfare and prosperity of our neighbouring republics, we most heartily concur. But in all that he has written concerning our religion, we beg to inform him, that he does not appear to be sufficiently acquainted with the subject of which he treats, and that he assumes as facts many things which are untrue.

In p. 164 he informs us, that:

"In the future pages of our journal, we hope to exhibit from time to time as full and minute a view of the revolutionary history of South America as the nature of our work will admit. We have access to materials, which we trust will enable us to do reasonable justice to a subject which is much less understood in this country than its merits deserve, or than our interests as a nation would seem to require,—especially when relations of the most intimate kind are daily gaining strength between the United States and the new republics at the South."

This is a reason why we are the more anxious that he should be better informed as regards our religion; for we do not wish to be misrepresented to our fellow-citizens, and to the reading world, by an authority which is deservedly respected. We are aware that the editor condemns our religion as corrupted and superstitious; we are aware that he is under what we will call an erroneous impression, that it is unfavourable to republicanism. Upon these topics we think very differently from him; but this is not the ground of our complaint. We do not even object, that in p. 192 he writes of Roman Catholics: "The spiritual guides of the people were the WORST ENEMIES to their peace and happiness; PRECEPT AND EXAMPLE conspired to scatter POISON in the hearts of the unsuspecting, to CORRUPT the springs of good principle, and EXTINGUISH the light of moral truth." We do not complain of this, and more than this: we should blush

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to write it of the Unitarians: and when we designate this division of persons, it is not to charge them with being more corrupt than others, but to ask the editor of the Review what would be his feelings did we wantonly thus attack that body, to which we understand he belongs.

But we do complain that the whole portion of his article which describes the *Bulls of the Crusades*, is a palpable misstatement; and we do complain that his section on the Ecclesiastical Hierarchy is little better. As yet, we acquit the editor of the moral turpitude of intentional misrepresentation; but he must permit us to prove our assertion; and though our feelings have been deeply wounded, we shall, we trust, avoid that sort of disrespectful, we may call it contemptuous language, with which it is not even, by scholars and gentlemen, deemed illiberal to assail us. As we cannot, in our present number, give all the necessary explanation, we shall only insert the first portion which we mean to examine.

Extract from North American Review, No. xliv. for July, 1824, pp. 186, 187, and 188:

"But the most extraordinary imposition in the whole catalogue, was the tax levied through the instrumentality of the church,—which practised on the credulity, corrupted the morals, and degraded the character of the people, at the same time it picked their pockets. As long ago as the time of the Crusades, bulls were granted by the Pope to certain Spaniards. allowing dispensations for the zeal they displayed in exterminating the infidels, and as an inducement to perseverance in so pious a work. Custom, which establishes everything, brought these bulls into general use; and for many ages they have been palmed on the people in Spain, ignorant and wise, as possessing a virtue and a power which could only come from heaven. And, as if to fix the last seal of degradation on the Americans, these precious devices of superstition and crime were scattered profusely over the whole extent of the New World, and there employed, by alarming the religious fears of the people on the one hand, and encouraging their vices on the other, to wring from them the little that remained after the torturing engine of taxation had done its heaviest work.

"The bulls were issued every two years, sent over to America from Spain, and sold out by the priests under the direction of a commissary, appointed to superintend this branch of the revenue. They were of four kinds. 1. The *bull for the living*, or *Bula de Cruzada*, so called because it has some traditionary connexion with the Bulls of the Crusades. It was deemed essential for every person to possess this bull, and its virtues were innumerable. Whoever purchased it might be absolved from all crimes, except heresy, by any priest; and even of heresy he could never be suspected, with this shield to protect him. On fast days he might eat anything but meat, and on other days he was exempted from many of the rigorous injunctions of the church. Two of these bulls, if they had been paid for, communicated double the benefits of one.* 2. The bull for *eating milk and eggs* during Lent. This was intended only for ecclesiastics, and persons not holding the first, which entitled the possessor to all the advantages of both. 3. The *bull of the dead*, *Bula de Defuntos*, which was indispensable to rescue departed souls from purgatory. It was bought by the relations of a deceased person, as soon as possible after death; and poor people were thrown into agonies of grief and lamentation, if they were not able to purchase this passport for the spirit of a relative suffering the miseries of purgatory. 4. The *bull of composition*, which released persons who had stolen goods from the obligation to restore them to the owner. One slight condition, it is true, was attached to this bull, which was, that the person, when stealing, had not been moved thereto by any forethought of the virtue of a bull to make the property his own, and his conscience white. Bating this small condition, the bull converted all stolen goods into the true and lawful property of the thief. It had the power, moreover, to correct the moral offences of false weights and measures, tricks and fraud in trade, and, in short, all those little obliquities of principle and conduct, to which swindlers resort to rob honest people of their possessions. 'It assures the purchaser,' says Depons, 'the absolute property in whatever he may obtain, by modes that ought to have conducted him to the gallows.' The price of these bulls depended on the amount of goods stolen; but it is just to add, that only fifty of them could be taken by the same person in a year.

"The price of the *Bula de Cruzada* was fixed by the commissary, and varied according to the quality of the purchasers. In the mandate of the commissary general for the year 1801, he says, 'the price is a little raised, but it is on account of the new expenses of government, and of the necessity of extinguishing the royal certificates, which the scarcity of money in a time.

* The Laws of the Indies do not profess to determine the virtues of the *Bula de Cruzada*; they prescribe with great formality in what manner they shall be sold, and the revenue secured. The *Comissario de la Cruzada* possessed considerable authority independent of the viceroy. *Recop. de Ley, Lib. I. Tit.* 20.

Solorzano presents us with much curious information concerning the *Bula de Cruzada*, and says the reason why it was extended to two years, instead of one as in Spain, was the difficulty of sending them to the remote provinces in South America in so short a time; and if no more than one year were allowed, their virtue would be destroyed before they could be received by the people. Some of the Spanish writers complained that this was an undue indulgence, and that the revenue suffered by it. Solorzano thinks otherwise, as by shortening the time, the sales would be much diminished in the interior, where the bulls would arrive too late. Besides, he says the plan of retaining the virtue in the bulls for two years was sanctioned by Pope Gregory the Thirteenth, as early as 1578.—*Politica Indiana, compaesta por el S. D. J. Solorzano i Pereyra Lib. IV. Cap.* 25.

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of war has compelled the king to issue.' At that time a viceroy paid fifteen dollars, and other persons of wealth and distinction paid five. If any man practised deception in this matter, and bought a bull at a lower rate than his rank or property demanded, the bull was without virtue,—and the purchaser had the comfort of reflecting, that he had defrauded himself, and thrown away his money. Such a deception was seldom known, even where the amount of a man's property had escaped the scrutiny of the officers; and no sources of the revenue were more certain and productive than this scandalous traffic in scraps of brown paper. It must be remembered, that these bulls were available for two years only, and then the people were again to be plundered by this infamous, juggling artifice to stir up their passions and interests, and even to quicken their crimes, where this could be done with a better prospect of grasping their money. But this league of the powers of darkness is fast dissolving; religion could not be mocked, nor justice outraged any longer; and if the revolution had done no other thing than relieve the minds of sixteen millions of people from a thraldom so barbarous and debasing, the deed would of itself be a good reward for the sacrifices and sufferings thus far endured by the South Americans in gaining their independence."

The history of the origin and continuance of these bulls, might at first sight appear of no importance to their present nature; however, such an impression would be erroneous, for without some knowledge of their history, it would be impossible to have a correct idea of their nature. We shall, therefore, as briefly as possible, give such a sketch as will be, we trust, sufficient. In page 184 of the Review, the editor has the following passage:

"The *alcavalda* originated in Old Spain during the wars against the Moors, and was granted to defray the expenses of those wars. It was limited to three years, but was afterwards extended; and against all the principles of equitable government, it was entailed as an eternal inheritance on the Spanish provinces in South America."

Now, our object is not to advocate either this tax upon sales which is here described, nor to enter into an examination of the justice or injustice of extending it to the American colonies,—but to show a fact, viz., that the tax for defraying the expenses of the wars against the Moors was extended to New Spain, as well as to Old Spain.

We find another fact which is acknowledged by the reviewer in page 196, viz.: That in the year 1519, Charles V. changed the nature of the government, making the American territory an integral part of the Spanish kingdom. In point of law, therefore, we apprehend it would not be very preposterous to assert, that the taxes to which one portion of the kingdom was liable, might be extended to the other portion. The Americans might not have been fairly dealt with, either by their own local rulers, by the Council of the Indies, or by the king,—but still this would not destroy the principle of the liability to taxation. We also find the fact that they were made liable to the tax *alcavalda*, which was imposed to defray the expense of the Moorish wars. Upon the same principle they were made liable to the tax of the *Bula de Cruzada*, which was one of exactly the same description as that of *alcavalda*. Thus we find it was not an ecclesiastical tax,—but a civil tax paid to the king for the expenses of the state.

Our next inquiry regards its origin.

Of course we do not expect the reviewer to believe the truth of our religious doctrines, neither are we now entering upon the discussion of their truth, but we are about to state, in fact, what are some of our doctrines.

We believe that the church has power to regulate ecclesiastical discipline, and that she received this power from our Lord Jesus Christ.

We believe that a part of the discipline consists in observing days of fast and days of abstinence, and that she has authority to specify those days, and to regulate the extent of that abstinence.

We believe, of course, that she has the power of repealing those laws which she thus makes, and of modifying them, and of dispensing occasionally, when she shall see cause, with the observance of some or all of them.

We believe this dispensation may be granted by the Pope, who is the head of the church, to individuals or to collective bodies.

Upon those principles we shall explain the part regarding fasting and abstinence.

Another point of doctrine in our church, is that in giving jurisdiction to a priest to hear confessions, the bishop has it in his power to give it either fully or partially. Of course if only partial jurisdiction has been given, and the clergyman finds the person who applies for his ministry to be included in the exceptions or reservations which affect his jurisdiction, this person should apply to a priest having full powers, or, as it is usually expressed, power to absolve from all crimes and censures. But of course this does not mean that he has power to absolve from any crime, unless the penitent has dispositions which will justify him before God.

This will explain that part regarding the choice of a confessor.

We proceed to examine facts. Towards the close of the eleventh century, Peter the

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Hermit filled the centre of Europe with the tale of sufferings of the Christians in the East, and Pope Urban II. at the Council of Clermont, in 1095, published the first Crusade to deliver the Greek and Asiatic Churches from the cruel persecutions, humiliations and massacres of the Mahometans. On this occasion, the remission of all canonical penances, full or plenary absolution from all ecclesiastical censures which had been incurred for previous crimes, and plenary indulgence, or the remission of all the *temporal* punishment due to sins *which had been remitted* BY THE MERCY OF GOD, *through the merits of our Redeemer*, together with a dispensation from certain fasts and abstinences, was by this Bull of the Crusade then published, granted to all those who *with proper dispositions*, undertook an enterprise which, after solemn deliberation, had been pronounced just, necessary, and meritorious, and which appeared to be more called for by the circumstances of the times than the present state of Greece demands the sympathy and aid of modern Christians.

The Bull of the Crusade was then, in this view, a law exempting a class of persons who were looked upon as engaged in a service meritorious in the sight of God and man, useful to religion and humanity, exempting those men from the operation of a general ecclesiastical law, and extending to them certain spiritual benefits of which they were supposed capable, for reasons which were deemed sufficient. To enter upon the history of the Crusades is no part of our object, we shall not therefore pursue it. The first bull of this sort given to Spain, was by Pope Gelasius II. in 1118.

Spain had long groaned under the Moorish yoke, and her sons and her kings frequently attempted her deliverance. In the year 1128, exactly ten years after their first establishment at Jerusalem, six of the nine original knights Templars, who came to France, applied to the Council of Bishops, then sitting at Troyes, for a constitution and rules; the council acceded to their request and referred their formation to Bernard, the famous Abbot of Claraval. The rule was strict, and amongst other regulations was one of abstinence on Mondays, Wednesdays, and Saturdays, throughout the year, and fast and abstinence from milk and eggs on Fridays. They got some possessions in Spain upon condition of defending them against the Moors. About 1160 a report was current that the Arabs were bringing a great army to attack the town of Calatrava, in Castile, which was one of their commanderies. Knowing their weakness, the knights resigned the town to Sancho III., King of Castile; an abbot of Citeaux, got the place for his order upon the same conditions that the Templars had held it, and the Archbishop of Toledo, granted privileges, similar to those of the Bull of the Crusade, to such persons as would aid the abbot and his monks to keep the city. Twenty thousand warriors assembled, the place was not attacked, the military members of the monastery had many skirmishes in which they were successful, and in 1163 Pope Alexander III. confirmed the order under the title of that of Calatrava. This was the second grant of similar dispensations to those contained in the bull, to any part of Spain.

A number of other military orders now sprung up and obtained extensive grants and privileges for preserving the country from the Mussulman ravages.

In 1210 Alphonsus IX., King of Castile, being sorely pressed by the infidels, besought the aid of the Christian princes and people, and especially of the Pope. Innocent III. exhorted the bishops of France and Provence particularly to assist him, and formally granted the dispensations of the Bull of the Crusade to those who would join his army before the Octave of Pentecost, 1211; and had prayers on his behalf offered up at Rome. He was joined by a vast number of Crusaders, and, amongst others, by the Kings of Navarre and of Aragon, and on the 16th of July he obtained one of the most signal victories on record. To go through the subsequent history of the Spanish wars is not necessary. We shall just touch upon one or two other facts very briefly.

On the eve of the feast of St. Peter, in 1236, Ferdinand, in whom the kingdoms of Leon and Castile were united, took the city of Cordova, which had been one of the strongest holds of the Moorish power, but his revenues were greatly impaired, and it was necessary to have money as well as men to protect the Christians. The exemptions of the bull had been hitherto confined to those who gave personal service in the army. The king wrote to Pope Gregory IX., requesting he would obtain pecuniary aid from the clergy. The Pope wrote to the Archbishop of Toledo, and to the bishops of Burgos and of Osma, exhorting them to make and to procure contributions from the clergy and the monasteries, and exhorting the laity to contribute, and extending to those who, in proportion to their means, would aid by contributions, the same privileges, as if they served in the field.

The long struggles with the Moors caused the same necessity for the continuation of this bull that existed for its original publi-

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cation. And when, in 1483, Ferdinand and Isabella were endeavouring to regain Granada, and thus to secure the permanent safety of the Peninsula against the irruptions of the ancient enemies of their people, they found themselves greatly in want of means; the then Pope Sixtus IV. had exerted himself to procure them from the clergy and people. Innocent VIII. succeeded Sixtus in 1484, and in the next year he confirmed the act of his predecessor, so that the king prepared to attack Granada with a considerable force. In the next year, 1486, the Grand Master of the Order of Calatrava having died, the knights prepared to go into an election; but Ferdinand and Isabella had procured from Innocent VIII. an injunction by which the administration of the order and the nomination of its grand master was given to Ferdinand during his life, and upon a memorial of the kings to the Pope, it was evident that the orders had not rendered all the services they ought, that the kings had been at very great expense, and that the only mode of recompense which was left for their service and expenditure was to be found in the receipt of the revenues of the military orders, which had not done their duty, but had been too often the cause of dissension, and of civil wars. However, it was not until the year 1500, that, under Pope Alexander VI., the grand-mastership of the orders of Calatrava, and St. James of Alcantara, was finally united to the crown of Spain.

Meantime, however, Ferdinand was making progress; in 1488, after the siege of Baca, many of the principal Moors withdrew to Africa. In the next year he obtained not only the ordinary contributions, but the bishops of Avila and of Leon were commissioned to make extraordinary collections. By means of these he raised an army of 50,000 infantry and 12,000 cavalry, with which he vigorously pursued the war. In March, 1491, the Marquis of Villana went up to the enemy's country. Ferdinand and Isabella both went with the army to the conquest of this last retreat. At length a capitulation took place, and the final expulsion of the Moors was the consequence, though not immediately. Thus, in order to repay, in some measure, the expenses of a protracted warfare of upwards of six hundred years, the people were exhorted to contribute by a light tax, in proportion to their means, towards defraying the expenses; and as the contest was principally for the preservation of the doctrine of our Lord Jesus Christ against Mahometans, the constituted authorities of the Church of our Lord Jesus Christ encouraged the faithful to contribute to the expenditures by a light tax, to be paid to that government which preserved the religion of our Saviour: and the mode of encouragement was by granting certain exemptions from the severe discipline of the church law to the contributors, and by those means repaying the government which protected religion.

One question only can be raised: Had those persons power to dispense with the observance of the law? There is no question but they had, for he who makes a law can dispense with its observance.

The reviewer, we suppose, looks upon the laws regarding fast and abstinence, and perhaps our entire discipline, *as affording a gloomy spectacle to the philanthropist or the friend of human improvement and happiness.* We shall not now quarrel with him for his opinion, but we give our own, viz., that a contribution of alms, or, if he will call it so, a tax, was well bestowed to preserve Christianity where Mahometanism would have swayed, and whence it would have made its inroads upon the west of Europe, in conjunction with the ravages that it was making in the East. And we farther are of opinion that when the question was. shall we relax a part of nonessential church discipline or expose the church to destruction, there could be no doubt as to the decision. The system of loans was then unknown. But, in fact, ought not this tax properly be viewed more in the light of an interest which the posterity of the warriors and people of that day continue to pay for the preservation of the blessing which has been transmitted to them, if Christianity is a blessing? The church viewing things in this light, encourages those people to pay this tax, by granting certain privileges to the contributors.

Now that we see the origin and nature of the *Bula de Cruzada*, we ask, why was it extended to the Spanish possessions in America? The reviewer gives us the plain and obvious reason; p. 206, he tells that the old Spaniards for many years constituted the chief part of the effective population, and willingly submitted to a government instituted in the country to which their associations and attachments were confined. He also gives us in p. 166, a second reason, viz., because in 1519, which was certainly before the many years to which he alludes had passed away, the American possessions became an integral portion of Spain; and we give him a third reason, that the exemption consequent upon this tax paid for such a purpose, is in the Roman Catholic Church considered a very extraordinary favour and privilege, which Spaniards enjoy

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as a reward for the zeal and fidelity of their ancestors.

Now we come to examine the special provisions of this bull. For the reasons above mentioned it is not to be obtained at present in any other place but the territory of the King of Spain. If it has been continued in Mexico or Colombia, or any of the republics which have cast off the Spanish yoke, we know not. The reviewer asserts that last year the bulls were sold in Mexico. If so, it must have been by a special continuation of power upon some new ground. It certainly could not be under the ancient regulation. We are ignorant of the facts. But we know that the case has been regularly decided: 1. That any place withdrawing allegiance from the crown of Spain, loses the privilege; and 2. That upon special considerations the Pope may renew for them the privilege without requiring, as a condition, their return to the subjection from which they had withdrawn.

The purchase of the *Bula* was a perfectly voluntary act on the part of each individual. By not purchasing he only placed himself in the situation of any other Roman Catholic out of the Spanish dominions: he committed no crime, he incurred no censure, he deprived himself of no sacrament. He kept his money in his pocket and observed the laws of the church. In this we can perceive nothing either *to alarm the religious fears* of the people, or to *wring from them* the little that remained after the torturing engine of taxation had done its heaviest work. We can also plainly perceive the error of the reviewer when he tells us, *It was deemed* ESSENTIAL *for every person to possess this bull;* for, in truth, it was *essential* for no person, being matter of perfect option.

We have been somewhat tedious, but the charges made upon our church were of the most destructive character, and by a respectable authority. We now say that although the writer may be of opinion that our belief is erroneous, and he may consider our whole discipline to be incorrect, yet he must feel that his article was constructed upon unsafe grounds, so far as we have examined; but what remains must be closely scrutinized. We shall defer our general remarks until after we shall have gone through with the examination and the explanation which we feel ourselves called upon to lay before our fellow-citizens.

SECTION II.

IN our former number we endeavoured to give some correct views of the nature of the *Bula de Cruzada*, that we may be better enabled to explain the mistakes of the Reviewer and the misrepresentations of those who furnished his materials.

We now examine his *virtues* of these *scraps of brown paper*. What then is the virtue of the scrap of brown paper? Nothing. This is an unfair mode of treating a question; neither does it manifest any wit. For when a person exhibits to you the deeds which are evidence of his right to property, when he exhibits to you his commission as an officer, or as a magistrate, or as an ambassador, it is not by the colour of the paper you are to try whether he owns the property or possesses the power. In this case, the scrap of brown paper is the evidence of having obtained a certain privilege, the ground of which we have before seen. The holder presented himself to confess to a priest who had the common approbation of the bishop, but who had not ordinarily reserved jurisdiction. The penitent could be absolved, not because he had a *scrap of brown paper*, but because, for what was deemed sufficient cause, this priest had in this case been vested with all jurisdiction, by the act of the Pope and the consent of the bishop.

A person going to war might fall into a crime, the jurisdiction to absolve from which was usually reserved, and he might not be able to meet a clergyman having extra-jurisdiction. The Bull of the Crusade, in this case, vested, as regarded him, every approved priest with extra-jurisdiction, and when the same privilege was extended to contributors in money, they should produce to the priest the evidence of their privilege, which evidence might be upon coarse or fine paper. The quality of the paper made no difference. Now let us see the nature of this absolution from crime by the priest: "plenam omnium suorum peccatorum (si de illis corde contriti, et ore confessi fuerint) aut non valentes confiteri id corde desideraverint indulgentiam, et remissionem:" that is, *full remission and indulgence of all their sins (if they have heartfelt contrition, and shall have made oral confession,) or not being able to confess, shall have desired it in their hearts.* To the clause giving the power of selecting any approved confessor, whether his ordinary jurisdiction was limited or not, the reviewer has put an exception, *except heresy: and even of heresy he could never be suspected with this shield to protect him.* We have carefully perused several copies of the bull in different languages, and not one of them that we have seen contains even the most remote allusion to any such exception. Upon what authority then was it inserted? And why was the exception really contained

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in the clause omitted? The following is the contained exception: "Modo in casibus in quibus necessaria erit, per ipsos, vel dato impedimento, per hœredes aut alios satisfactio fiat:" so *that in those cases in which it shall be necessary, satisfaction be made by them, or they being impeded, by their heirs or by others.* Thus, the persons who had injured their neighbours in property or character, could not obtain the privileges of the bull without making the necessary satisfaction. Every Roman Catholic knows what that satisfaction is, viz., restitution. But we shall have more of that hereafter. This clause also specifies, lest it might be in any way overlooked, the absolute necessity of *hearty contrition* for the sins and negligences. Shall we be told that the doctrine of contrition of the heart for sin being necessary for reconciliation with heaven, is *encouraging their vices*, and that they who taught it *practised on the credulity, corrupted the morals and degraded the character of the people, at the same time that they picked their pockets?* For aught we know, this *might be a precious device of superstition and crime.* But we think it is a salutary doctrine, and the only foundation of sound morality.

"*On fast days he might eat anything but meat*, and on other days he was exempted from many of the rigorous injunctions of the church." The first part of this which we have marked in *italics* is correct, and is almost the only exemption from the law of discipline, the other part is so vague, that it may be true, or not, as the word rigorous is understood. We shall now take what he calls the second bull.

The distinction here is one which is founded upon a general principle of the church, that as the clergy ought to give good example to the laity, they ought to be more rigorously observant of discipline, and ought for any necessary relaxation or indulgence to make larger sacrifices. Thus the common bull, was taken by the laity, and *Bulla parva* by the clergy. The prelates paid highest and had least relaxation of discipline, and this principle so regulated the tax and the relaxation, until it came to the laity, that the more dignified the clergyman, the more he paid, and the less relaxation he obtained. The laity took the common Bull, but viceroys and the nobility paid more than they whose income was small and who were untitled. But for all the laity the privileges were the same. Monks and nuns and friars, were not allowed any relaxations. Now the innumerable virtues may be easily summed up.

1. If any church or place should fall under interdict, these persons may use it for their devotion, provided they were not partakers in the crime which induced the interdict. They may in the territory under censure use their own private oratories for divine worship upon the same conditions, provided that on each occasion, they devoutly prayed to God to restore peace and harmony to his people and to free them from the persecutions and insults of Mahometans and other infidels. They may have Mass celebrated in those places, an hour earlier or an hour later than the canonical time. They may in those places be admitted to the sacraments, except the Easter communion; and should they die during the interdict, their obsequies may be celebrated in a moderate way.

2. The laity may on days of abstinence and fast, use all food, which would otherwise be prohibited on those days, except flesh meat. The clergy follow special and more restricted rules as above.

3. Those who shall through motives of piety, by fasting, prayer, or works of charity, or religious exercises voluntarily undertaken, endeavour to obtain from God his merciful aid for the protection of the true religion and the defeat of its oppressors, having the Bull, shall receive the remission of certain penances and the participation in the prayers and merits of other pious persons.

4. Persons of a like description, who shall on particular days unite their devout prayers with those of their brethren who offer them up for the like purpose five times before one altar, or at five different altars; shall obtain the same benefit as they who make the same stations at Rome.

5. That they may with greater purity of heart pray to God, and be more acceptably heard by him, they have power to present themselves to any approved confessor, who shall be thereby authorized upon their having the proper disposition of heart, especially true contrition for sins and negligences, and making the proper restitution to any person whom they have injured, to absolve them from all sin and censures, howsoever, and to whomsoever reserved, and after enjoining salutary penance, to communicate to them a plenary indulgence. Once this power, and to a lesser extent at any other time through the year, and to its fullest extent at the hour of their death.

6. That their confessor shall have power, upon examination, to commute vows made by them into the performance of other good but more convenient works, except, in three cases, and except such commutation would be an act of injustice to a third person, who has not consented to the same.

Now as regards the third head. The Bull of the dead, (*Bula de Defuntos*,) we

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shall find it necessary to enter somewhat more at large into our explanation of one or two doctrines of our church, which the reviewer, we have no doubt, rejects as foolish and untenable. For this we shall not quarrel with him; we believe them firmly, and have no doubt whatever that God has revealed their truth; but we do not now enter upon proofs, we merely give explanations.

We believe that there is a purgatory, and that the souls therein detained may be assisted and benefited by the suffrages of the faithful.

We believe that Christ left in his church the power of granting indulgences, and that those indulgences may be usefully applied by way of suffrage to the aid and benefit of those suffering souls.

These are doctrines of the truth of which we are firmly convinced, but as they are doctrines which in this country are greatly and generally misunderstood, we shall develope them more fully.

We believe purgatory to be a place of punishment where *some* souls suffer for a time before they are admitted into heaven.

We believe there is a place of eternal punishment, to which all those souls that depart from this life in a state of mortal sin, enemies of God, will be irrevocably condemned. We call this place hell.

We believe that no sin is remitted, nor grace obtained, except through the merits of our Lord Jesus Christ.

We believe that those merits are efficacious, if he will, to remove the guilt of sin from the soul, and to release also from the punishment which is due to that guilt.

We believe the guilt to be different from the punishment, the guilt may be incurred several years before the infliction of the punishment: or the punishment may be inflicted immediately after the guilt is incurred; punishment follows the guilt, but is not the guilt.

We believe that punishment for the guilt of sin may be temporary as regards this life: may also be temporary in the next life, or may be eternal as regards the next world. We believe it to be eternal in hell.

We believe that when God removes the guilt of sin through the merits of our Lord Jesus Christ, he may remit the eternal punishment and not remit the temporary punishment.

We believe that in removing the guilt and remitting the eternal punishment, he generally inflicts a temporary punishment, the extent of which is known to him but unknown to us, which must be endured by the justified soul, unless it be removed in one of those ways which will be efficacious for its removal.

We believe that all the sins of men are not mortal sins, which deserve punishment during eternity in hell.

We do believe that although in baptism and on other occasions, God does remit the guilt and all the punishment due to sin, he often, on other occasions, inflicts a temporary punishment instead of the eternal punishment which he mercifully remits.

We believe that all they who die in venial sin, and all who have not fully endured the temporary penalty affixed by God upon the remission of mortal sin, do suffer more or less in purgatory and are afterwards admitted into heaven.

We believe that all they who, justified by the merits of Christ, die without the guilt of any sin, and having no arrear of temporary punishment unremitted, are the only persons who immediately enter heaven.

We believe purgatory is not of course a permanent state.

We think the suppositions which we have made are reasonable, and that the facts which we have stated are revealed by heaven.

The communion of saints is another article of the Roman Catholic faith; by this we believe that all they who belong to the church and can be aided in their necessities, will be benefited by the prayers and good works of persons who through the merits of Christ are acceptable to God.

We believe persons who are in a state of temporary affliction, may be aided by the suffrages, which means the prayers and good works, of acceptable supplicants offered on their behalf.

Hence we believe upon those principles and upon the testimony of revelation, that the souls in purgatory may be assisted by the suffrages of their brethren.

We next come to state our doctrine of indulgences.

An indulgence is not leave to commit sin; is not pardon of the guilt of sin; is not remission of the eternal punishment due to mortal sin: but is a total or partial remission of the canonical penance or of the temporary punishment which is due to sin after its guilt has been remitted, and which remission can be had only by the means established by God, accompanied with the dispositions required by God.

We believe this power of indulgences was left by Christ in his church.

We believe it consists in the authorized minister of the God of heaven in his church, granting by the authority of God an application of the superabundant means of re-

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conciliation left by the ordinance of Christ, to the obtaining from God partial or total remission of temporary punishment to certain persons, for sufficient reasons.

We believe this application cannot be arbitrarily and wantonly made, and if so made it is inefficacious.

We believe that it must be made for good and sufficient cause, profitable to religion and the improvement of morals, and if not so made, it is inefficacious.

We believe that no application of indulgence can be profitably made to a person who is not in the state of friendship with God, and truly serving him in spirit and in truth, and if any benefit is expected from the use of an indulgence by a person in the state of mortal sin, or disposed to commit mortal sin, such expectation is a foolish delusion.

We believe that besides being in the friendship of God, a person in order to profit by an indulgence, must faithfully perform the required duties.

Thus we believe, that no ecclesiastical authority can grant an indulgence for mere temporal purposes, and any whose object would tend to such purposes and end in them would be altogether useless and invalid.

But we believe that the contribution of alms for a purpose beneficial to religion, is not for a mere temporal purpose, but to obtain spiritual benefit by temporal means; as to raise an army to protect a Christian nation from the destruction of infidels.

We also believe, that be the contribution ever so great in money, the contributor will not receive any benefit of the indulgence unless he first becomes reconciled to God by the means which God prescribes, and fully and sincerely determines to lead a virtuous life.

Now the *Bula de Cruzada* expresses all this in a manner which, to Roman Catholics, is fully clear and much more forcibly conveyed than it is here by us. Hence, if the traffic in these bits of brown paper be a scandalous imposition, the means of detecting the imposition are afforded to the purchasers, because they have in print the conditions, which to them are fully intelligible. To one who is not a Roman Catholic, and who is too proud of his ignorance respecting tenets which he condemns without inquiry, in the technical expressions and in the phrases there might be some obscurity, which he ought to attribute to his own self-sufficiency in not caring to inquire; and should he write about what he has never sought to know, can we be astonished at the exhibition of blunders which he would, perhaps, glory for not having taken pains to prevent?

Now, the writer of the Review did not understand our doctrine, and yet he has most majestically condemned what he did not take the trouble to study. We prefer this to the other side of the alternative; for if he did know our doctrine, we should be reluctantly compelled to think most unfavourably of his moral feelings. We should consider him to be a deliberate and wanton libeller of the largest Christian body in the universe.

The bull says: They who contribute to repay the Kings of Spain for the heavy losses and expenses incurred in preserving Christianity against the Mussulmans, shall be exempt from some of the rigorous discipline of the church; and those of them who do besides, with true sorrow of heart for sin, endeavour to obtain pardon for those sins through the sacraments of our Lord Jesus Christ, received with proper dispositions, making satisfaction to their injured neighbours, shall receive an indulgence; and those of them who by prayers and good works, will endeavour to render God propitious to his church, shall also receive an indulgence. No one is obliged to contribute, but this encouragement is held forth to the contributors.

The reviewer says: It is deemed *essential* for every person to possess the bull. This precious device of superstition and of *crime* was employed by *alarming the religious fears* of the people on one hand, and *encouraging their* VICES on the other, to wring from them the little that remained after the torturing engine of taxation had done its heaviest work; this *tax corrupted the morals* of the people at the same time that it *picked* their pockets.

Now we would humbly ask how an optional contribution can be called a tax? How that which might be conscientiously omitted could be deemed essential? How the religious fears of the people were alarmed by leaving them an unbiassed choice? How money was wrung from them which they were not placed under any necessity of paying? How pockets were picked in the case before us? How this custom which made true repentance of the heart the first requisite could be an encouragement of vice? How reconciliation to Heaven and satisfaction to the injured neighbour could be a device of crime and superstition?

We do, with all due humility, suggest to the editor of the Review, that the people of this Union are not now to be misled by words; that the mind of America looks for

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facts; and that, so far as our religion is concerned, mere school declamation, and rounded periods, and degrading epithets of abuse prettily strung together, will not serve for information. The mind that in South America conceived and carried through the mighty work of its useful revolution, is not so puerile as to permit superstition and crime to domineer over a land which it has emancipated. Nor is the mind which is awake and healthfully energetic, and now putting forth its vigour in this favoured land, so sunk in the prejudices of Great Britain, as to be led by a cry of No Popery, and to believe that everything which was described as horrible and superstitious, is such in fact, merely because the Pilgrims said so.

We will give the Reviewer leave to designate all our creed folly, and all our discipline superstition, if he will, but we assure him that he is grossly in error if he believes that creed or that discipline encourage vice or engender crimes. Upon close examination, he will find both theory and fact against his imagination.

We believe the suffrages of the living are beneficial to the dead who are in need of them and capable of being relieved. We do not believe the saints in heaven need those suffrages. We do not believe the reprobate in hell is capable of relief. We believe the souls in purgatory do need our aid, and may be assisted. But though we know this general doctrine, we cannot know the fact that a particular individual is in purgatory, nor what special quantity of prayer or other suffrage would be adequate to full relief. It is true that God does know, and may inform us if he will, but he has not done so, and we are not in every case to expect a special revelation of the fact. Such a revelation would be an extraordinary interference. The church teaches the general doctrine; the church does not know the special fact: no individual or body in the church can tell who is in purgatory, nor what suffrages would be adequate to release one sufferer therefrom. A dark curtain divides us from the world of spirits. Our mighty Father could shoot the beam of knowledge through the immense mass of clouds, if he would; but he does not. His voice has penetrated through the chaos, and by the words of revelation he has taught us the general doctrine, he has exhorted us to the charity of aiding those who suffer, and taught us that our prayer will avail, but he has not informed us to what extent. We then, with eyes suffused with tears, yet lifted in hope, and hands stretched out in supplication, offer for our departed friends the suffrages of our prayers, of our works, of our piety, and through the merits of Christ we beseech for them a speedy release from the house of bondage. The *Bula de Defuntos*, is a suffrage of this sort, applicable to the aid of those capable of being assisted, but giving no certainty of release.

The reviewer will probably smile at our superstitious infatuation in praying for the dead. We look upon it to be an injunction of Heaven, and we do not envy him the coldness, the barrenness, the desolation of his mock philosophy, whilst we indulge, under the sanction of God's revelation, the holiest propensity of our nature, by which the charities of religion and the feelings of warm affection are made to survive within us, and even after their object has faded to our view, after the worm has consumed all that was mortal of our friends, we still commune in the language of spirits, and feel how strongly the bonds of religion can unite those whom the desolations of nature have severed.

But the reviewer is grossly incorrect, when he affirms that this bull was *indispensable* to rescue the departed souls from purgatory; it is not indispensable, and it could not be obtained except in the Spanish dominions; so that if his proposition was true, no one but a Spaniard could ever be rescued from purgatory.

The poor people whom he describes in mock commiseration, knew well that this was no passport, though their affection and their piety might have made them anxious to obtain every species of relief.

SECTION III.

We now come to the most serious part of the charge against our religion and the gross portion of the libel. We shall insert the fact charged upon us.

Extract from page 187.

"4. The *Bull of Composition* which released persons who had stolen goods, from the obligation to restore them to the owner. One slight condition, it is true, was attached to this bull, which was, that the person, when stealing, had not been moved thereto by any forethought of the virtue of a bull to make the property his own, and his conscience white. Bating this small condition, the bull converted all stolen goods into the true and lawful property of the thief. It had the power, moreover, to correct the moral offences of false weights, and measures, tricks and fraud in trade, and, in short, all these little obliquities of principles and conduct to which swindlers resort to rob honest people of their possessions. 'It assures the purchaser,' says Depons, 'the absolute property in whatever he may obtain by modes that ought to have

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conducted him to the gallows.' The price of these bulls depended on the amount of goods stolen; but it is just to add, that only fifty of them could be taken by the same person in the year."

We never read a more unfounded and libellous paragraph than the above. It distinctly exhibits the Roman Catholic Church as entering into partnership with thieves and robbers, and undertaking, for a share of the plunder, to whiten their consciences. When the reader shall have seen the true state of things, let him judge for himself. We must again lay down our principles before we can explain the facts.

We believe that the church has no power to deprive any man of his property; for when our Lord established the church, the authority which he gave was not temporal, but spiritual..

We believe that no man has power to remit to another a debt which he owes, unless the debt be owing to him who remits it. Composition being a species of remission, we of course do not believe the church has any power to make a composition with a debtor, and remit to him what he owes to another who is his creditor, or who has been injured by him, for this would be to exercise over property a dominion which God has never bestowed upon the church.

We believe that no man who has injured his neighbour in his property or character, can be truly contrite for his sin so committed, unless he has the disposition to make all the due satisfaction in his power, to the injured neighbour.

We believe that without this contrition and satisfaction, the sin will not be remitted by God.

The bull, as we stated in our last number, in that part regarding the remission of crimes and penalties, had this express condition, "Modo in casibus in quibus necessaria erit, per ipsos, vel dato impedimento, per hœredes aut alios satisfactio fiat." "Provided, that in those cases where it shall be necessary, satisfaction be made by them, or they not being able, by their heirs or by others." This is a principle which nothing can subvert; *until the last farthing shall be paid, there is no escaping from the judgments of God.*

What is the difference of practice between a Protestant and a Catholic on this head, for there is no difference of principle? It is more strict on the side of the Catholic. We put a case for elucidation. A Catholic and a Protestant have been both unjust; each repents. The Protestant feels that he ought to repair the injury; he makes his own estimate, we will admit conscientiously; he restores and prays to God for pardon, determining not to be again unjust. The Catholic repents and goes to confession, he informs a priest who is answerable at the risk of his own soul to decide to the best of his knowledge upon every case. The penitent is examined, the circumstances are weighed, the consequences inquired into. The decision is made by one not interested in diminishing the amount to be restored, by one who is answerable to the tribunal of God for any injustice which he may sanction, by one who has studied morality, and especially the principles of justice and contracts, in order to be able fairly to decide those cases, and to destroy the illusions of self-love in his penitents, to answer the sophistry which the love of money will dictate, and to speak the words of divine justice to the transgressor: after having been advised thus, and having repented and restored, the Catholic seeks pardon from God.

We unhesitatingly assert, there is less danger of the Catholic who confesses not making proper satisfaction, than of his being deluded and deceived.

But will not the *Bull of Composition* enable his confessor to go in shares with him, and whiten his conscience? No! Payment to his confessor is not restitution. Giving money to his confessor is no satisfaction for his injustice; neither does he give money to his confessor. We have known much of confession, but we never yet knew of money being paid for it, nor on account of it. But we have known money given to the confessor to be by him paid to the injured party, lest the penitent should be discovered; for a man may repent and make restitution, but is not bound to expose himself; and we have in those cases known the confessor, as he ought to do, procure the receipt of the persons to whom the money was given, which receipt he gave to his penitent to prove that he fulfilled his duty and discharged his trust. A Catholic finding money given by a penitent to a confessor, knows why it is given; the same act may wear to Protestants a different aspect; most of their prejudices arise from such imperfect judgments.

What then is the *Bull of Composition?* We must state a few more principles before we can explain.

Sometimes a man has injured his neighbour, and he cannot discover whither the injured person is gone, nor where his children may be found, but the property which he has unjustly obtained is not therefore transferred to him.

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Sometimes the property to be restored to individuals is but of small amount to each, and the persons to whom restitution should be made are at a great distance, not greatly in need, and not expected to return, and there is no mode of communicating with them, or of transmitting it to them; yet the dishonest possessor cannot retain it.

Sometimes the injured person has died leaving no heirs, to whom restitution could be made, yet the possessor cannot retain property which he has unjustly acquired.

A variety of cases of this description come repeatedly under the view of the clergymen who hear confessions in our church. The principles of justice are plain, evident, unchangeable.—1. "Suum cuique tributo"—"Give to every one what belongs to him." 2. "Res clamat domino"—"The property seeks for the master." 3. "Fraus sua nemini patrocinari debet"—"No person should be a gainer by his dishonesty." 4. "Res fructificat domino"—"Property increases for its owner." 5. "Alteri ne feceris quod tibi non fieri vis"—"Do not unto others as you would not wish them to do unto you." Now upon those maxims the confessor cannot admit the penitent to the sacraments until after full restitution shall have been made to the injured person, if the said person can by any reasonable exertion be discovered, and if the penitent can in any way, by any fair exertion make it, or being unable now to do so, will enjoin his heirs or other friends upon whom he may have a claim, to do so. There is no useful receiving of the sacrament without this, and without the useful receiving of the sacrament, none of these benefits of this bull can be obtained. Thus, where the injured person is known and restitution can be made, it is absolutely and indispensably necessary to make it to himself, or to secure it to him. Can we then be blamed at feeling warmly and perhaps almost indignantly at finding the church to which we have the happiness to belong, and which has always been guided by those principles, traduced and vilified, and abused and misrepresented to the American people in such a work as the North American Review?

Then is there no composition? Yes, but a very different kind from that which has been stated. Take our first supposition; a man who feels that he has been unjust confesses it. The priest tells him to restore the amount to the owner. The penitent answers that he cannot discover where the owner now is, nor whither he has gone, nor can he find any of his connexions. The amount of the injustice is ascertained, and the penitent is told to purchase as many bulls as will cover the sum, and having done so, he exhibits them to the confessor as evidence of his having made the payment. This is called composition. And these are called the Bulls of Composition. Now there are here several indispensable conditions.—1. The penitent must make oath that he has used all diligence to find the injured party or his heirs, and has not been able to discover them nor any of them. 2. The penitent is distinctly informed that if injustice was committed with any view to making the restitution by this composition, it will not release his conscience, because this would be affording room for a malicious disposition to injure a person who ought to be protected, and quieting the conscience of the criminals by paying to the treasury a sum of money of which he defrauded another. This would enable him to gratify his revenge or malice, and produce many other evils. 3. It is restricted to the amount of the price of fifty of those bulls, because it is supposed that although small debts may be overlooked, or small creditors not be found, still the presumption is, that persons to whom large sums are due could be discovered; and if they cannot, special reference to a higher tribunal than ordinary, must be had, for making particular investigation, and special composition. 4. Should the injured person be found after this composition, and the unjust person find that his composition was not fully made, he is in conscience bound to restore the balance to the injured party. And if the creditor can show that the debtor could have found him by using greater diligence, he can compel him to pay the entire to himself. We apprehend that when all those conditions are fulfilled, the bull is found to have very little efficacy in converting the stolen goods in the true and lawful property of the thief.

Now as to the power of correcting the moral offences of false weights, &c. The penitent examined before God, how much he had gained by his fraud; the confessor having ascertained the amount, told him that, as he injured a community, he must make general restitution, then told him how many bulls to purchase, he bought them, was exhorted to repent, and to ask pardon of God, to have recourse to the means established by Christ for forgiveness, to be honest in future and thus dismissed with his "moral offences corrected," a heart changed, and very little profit of his crimes.

We have not the honour of knowing Mr. Depons: but we unhesitatingly aver that we can have no respect for the authority of a man, who with those facts under his eye,

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could write that the bull of composition "assures to the purchaser, the absolute property, in whatever he may acquire by modes, that ought to have conducted him to the gallows."

There are two other cases, in which the bull of composition might be taken. The first, where a clergyman received the income of his place for the performance of spiritual duties, which he neglected to fulfil, or which he fulfilled badly, imperfectly. In this case he was evidently bound to restore the goods for which he did not make the proper return. He could not take bulls to more than half the amount, the other half he should return to the fund of the particular church. This was a special case, and is an exception; for upon the general principle he would be bound to return the entire to the injured church, as he knew the defrauded owner, and could reach it, but as the fund created by the bulls, was intended for the good of religion, the church to which the restitution ought to be made consented, by her chief pastor, to bestow half the proceeds of such restitution to the Crusade treasury.

Another case of exception regards legacies left by the way of restitution for goods badly acquired. The Spanish and civil law, both required certain formalities to be gone through within a year from notice received in such cases by the legatees; and if they neglected within the year to go through the form, the heirs of the deceased were authorized to pay half the amount to the treasury of the Crusade, by taking bulls or other evidence of the payment, and the bull declared that having thus honestly complied with the provisions of the law, they were in conscience exonerated. But this did not extend to any other species of legacy, nor to any other debt.

Having taken this view of the nature of the Bull of Composition, our readers will be better enabled to judge of the true meaning of the following extract:

"Ut possit Comissarius componere super illicite habitis; necnon super medietate legatorum omnium, quæ propter male ablata facta sunt, si legatarii per annum in exactione negligentes fuerint; et super illis quæ facta erunt et quæ dicto anno durante fient, si legatarii inveniri non potuerunt; necnon super male ablatis, et per usurariam pravitatem, aut aliter male acquisitis, si in omnibus prœmissis casibus, (præterquam annualis dictæ negligentiæ,) personæ, quibus restitutio seu solutio facienda est (præstito per restitutorem juramento de diligentia per eum facta pro inveniendo legatorio seu creditore, et minime invento) non reperiantur, possit commissarius componere, et illos debitores liberare."

"That the commissary shall have power to make composition for property unjustly held, also for the moiety of all legacies which are made for things unlawfully taken, if the legatees shall, during a year, have been negligent in making their claims, and for legacies which shall have been found made, or which may be made during the aforesaid year, if the legatees cannot be discovered; also for property unjustly taken, or acquired by usurious wickedness or otherwise badly, if, however, in all those cases (except those of the aforesaid year's neglect), the persons to whom the restitution or payment should be made, cannot be found, (the restorer having made oath that he had used diligence to find the legatees or the creditor, and could by no means find them.")

Now, in the name of common justice, in the name of religion, in the name of truth and of honour, we ask the reviewer whether this is entering into partnership with thieves and plunderers, to whiten their consciences, for a share of the plunder?

But why give the money to the Crusade fund? We shall answer, but first we must explain.

It is now clear that it is a principle of our moralists, as it is of common justice, that no person who unjustly retains what belongs to his neighbour can obtain forgiveness from God, unless he shall have made restitution. When the owner is known, it cannot be given to any other person except by his express authority. If a man holds ten dollars belonging to his neighbour, whom he knows, and subscribes one hundred and ten dollars towards building a church, or for any other good purpose, meaning to give one hundred as his donation, and to pay the ten on behalf of his injured neighbour, he is not thereby exonerated from the debt to that neighbour; because payment to the church is not payment to him; he not only still owes the ten dollars, but is, moreover, answerable for all the bad consequences of his unjust retaining of that money; let him build a hundred churches and hospitals, and take fifty bulls of crusades, these ten dollars still remain due; and if the injured person for want of ten dollars, is cast into prison, or loses the fair opportunity of making a good purchase, the church-builder and bull-buyer, is answerable before God for all the consequences. Nothing can weaken the force of this immutable principle of right. The duty of the debtor is to pay his creditor; the right of the creditor is to build churches or buy bulls, or fling his money

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into the fire, as he pleases. The man who assumes to be liberal, or charitable, or pious, with money which does not belong to him, is a rogue—generally the worst kind of rogue, a hypocrite.

But another principle of justice is equally clear: when you are bound to restore, but cannot find your creditor, this accident does not give you a right to the fruit of your dishonesty. The property is not yours. How is it to be disposed of? In that way which it is reasonably supposed would be most agreeable to the creditor. Give to his children, or to his relations, or to those whom he used to aid and serve: you cannot find any of those; you have used proper though unavailing diligence. Then follow his presumed will: give it to that useful public institution which you believe he would himself prefer: give it to the poor, and the alms will, before God, be received on his account. But if any nation has made a public regulation upon the subject, you are to follow the decision of the law, in preference to your own private judgment. Spain has made this public regulation; and upon that ground, the principle in Spain is, "when you have injured your neighbour, repent, and restore to him his property: if you cannot find him, pay it to the treasury of the nation, through the commissary of the *Bula de Cruzada*." The principle in Spain is, "your self-love and your avarice are likely to delude you in estimating the amount that you should restore. Go tell your case to a clergyman who has nothing to gain or to lose, and who must therefore be impartial, who is answerable to God for the decision, and therefore likely to be conscientious, who has studied the principles of justice, and after examination, been admitted to his place, and is therefore likely to be correct. Be guided by him: if you have reason to doubt the correctness of his judgment, go to another, or go to his superior, and remember the admonition, '*what will it profit a man to gain the whole world and to lose his own soul.?*'"

It may, perhaps, be the effect of prejudice or of partiality in us, but we have always thought this discipline of our church was better calculated to promote the interests of society and of religion, better fitted to protect the property of individuals, and the morality of the public, than the mere general preaching of the same principles, without the special application of them to individual cases, as practised in our church.

The only difference between the Spanish dominions and other portions of the Catholic world, on this subject, is, that in Spain and its dependencies, the precise mode of making this sort of restoration, is pointed out: in other places, the person bound to make the restoration, has greater room for choice as to what object the money shall be applied; there is no choice as regards the immutable principles of justice.

We have now given to the people of America, the true statement of facts, and the correct exhibition of principles, the misrepresentations of both of which formed the groundwork of the flippant abuse and unmeasured language of the reviewer. Let him now look to his own phraseology and say was it deserved, if our statement is correct. For the correctness of that statement, we are ready to stand amenable to the tribunal of the candour and investigation of this world, and we stake the salvation of our souls in the next. Our asseveration is a solemn appeal to heaven: for we have been most cruelly ill treated. Our religion has been accused by those who did not know it, with PLUNDERING the people by infamous juggling artifice, *to stir up their passions, and interests;* and even to QUICKEN THEIR CRIMES, when this could be done with a better prospect of grasping their money." It was accused of "*forming a league with the* POWERS OF DARKNESS." It was accused "of *mocking religion*." It was accused "of OUTRAGING JUSTICE." It was accused "of keeping sixteen millions of people in a *barbarous and debasing thraldom*." Bear with us, fellow-citizens, for awhile. This charge has been ushered forth under the auspices of your most conspicuous literary chieftain. Are we guilty? Read the proofs against us; read our answer. Too long have you formed your judgments of us upon the exclusive testimony, shall we call it? no! vituperation of our opponents. Hear us; examine us. But before you vilify, listen and reflect. We have much to add.

SECTION IV.

WE now come to a new division of the article, which is more vague in its construction, though not less virulent in its temper. We know not whether we should attribute its very serious errors to the ignorance of the reviewer, or to the dishonesty of his informants; we must suppose the latter, and when we even suspect ignorance it is not of that description which amongst some persons is degrading or unfashionable, therefore we do not use the word in its offensive meaning. Were a man who knew nothing of geography, to write upon that branch of knowledge, it would be very wrong: so it would be improper for a person who knew nothing of law to give us a treatise upon the

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practice of courts, and for a man who never studied surgery or medicine, to publish his notions upon anatomy and materia medica. But it is quite otherwise as regards the Roman Catholic religion; a person needs no other qualification to write against it, than to be so disposed, and the abundance of the spirit becomes manifest in the vehemence of the phraseology. No zeal can be too ardent, no expression too strong, no vituperation too severe; little attention need be paid to facts, circumstances need not be examined, nor is it always necessary to have regard to even probability itself. Your Bible, and the influence of the spirit, and the craving appetite of your readers, pen, ink, paper and a printer—all that is required is ready. We regret not so much for our own sake, as for the sake of history and truth, that from a long-established habit of permitting every species of abuse against our creed to pass uncontradicted, gross ignorance of facts has been substituted for correct information, nor can we conceal our own feelings:

——— doluere cruento
Dente lacessiti:

Would to God, we could with equal truth, follow up the rest of the sentence. However, such a time may yet arrive. But to our examination. After disposing of the bulls of which he knew so little, the reviewer proceeds to the next topic:

Extract from pp. 188, 189, 190.

"IV. The *ecclesiastical hierarchy* in South America was one of peculiar construction; for although it acknowledged nominal submission to the Pope, it was in reality independent of him, and subject only to the King of Spain, as its supreme head. This power was unwittingly put out of the hands of the papal see, by the famous bull of Pope Alexander the Sixth to Ferdinand and Isabella, in the year 1593, in which his holiness was so obliging as to divide the world in twain by a line drawn through a certain point from pole to pole, [un linea desde el polo artico al polo antartico,] and bestow on these Spanish sovereigns and their successors for ever all right, title, and dominion over the countries at that time discovered, or which at any future period should be discovered, beyond the said line. This piece of kindness in the Pope was taken in its fullest latitude, and, by the liberal construction of the kings of Spain, it made their jurisdiction absolute in civil, political, and ecclesiastical concerns. This jurisdiction, granted as they say, *por bulas de los sumos pontifices de su proprio motu*, they have always retained and exercised, notwithstanding some ineffectual endeavours on the part of the see of Rome to recover the ecclesiastical power. In truth, the Popes never had any authority in South America, nor could they communicate directly with the bishops, except in a few unimportant cases.

"Everything emanated from the king. Even the Pope's bulls and dispensations were obliged first to be transmitted to the Council of the Indies, and sanctioned by that body before they could be sent to America. In the appointment of archbishops and bishops, the Pope enjoyed the empty privilege of nomination, but the appointments were made from the highest to the lowest offices by the king. All the ecclesiastical revenues went to him; nor could a cathedral, or even a village church be erected, without his special license.* This patronage was of immense importance; it enabled the crown to concert every measure in the best possible way for controlling the people, and bending them to the great purpose always in view, that of draining gold and silver from the Indies. The salaries of the bishops depended on tithes, and were therefore fluctuating. The average salary of the Bishop of Havana, was eighty thousand dollars; that of the Archbishop of La Plata, at Charcas, sixty-five thousand; and the Bishop of Caracas some years received seventy thousand. In Mexico, Peru, and Chili, the church was very rich, and the poorest bishoprics in the country yielded from five thousand to twenty thousand dollars a year.† The host of inferior clergy was innumerable, and for the most part every ecclesiastic was liberally paid. The king received the first year's salary of all the officers in the church.

"The ecclesiastical tribunals had a wide jurisdiction, reaching to all concerns of a spiritual nature, to the regulation of the monasteries and priests, donations and legacies to the church, tithes, marriages, and the like. The Inquisition was also established in South America, with nearly the same powers and privileges as in Spain. As heresy was not among the besetting sins of the South American colonists, this body seems to have had little to do in pursuing those who had erred *in delictis contra fidem*, the object for which it was originally professed to be instituted. So potent a council could not be idle, however, and it sought importance chiefly by the vigilance with which it guarded against the inroads of knowledge, and the zeal with which it drew closer and closer the veil of ignorance over the minds of the people. To this topic we shall revert in another place."

Now the reviewer has fallen into three mistakes in the first four lines. For first, the *ecclesiastical hierarchy* in South America was *not* one of peculiar construction. It was of the same construction as that of Old Spain; in fact, its construction was the same as that of every other portion of the Roman Catholic church. It had a patriarch, archbishops, bishops, priests, deacons, &c. It

* The law on this subject is very pointed. "Mandamos, que no se erija, instituya, funde ni constituya iglesia catedral ni parroquial, monasterio, hospital, iglesia votiva, ni otro lugar pio ni religioso sin licencia expressa nuestra."—*Recop. Lib. 1. Tit. VI. Ley.* 2.

† Walton's Spanish Colonies, vol. ii. p. 4, Pazos says, that three bishops in Peru, and four in Rio de La Plata, including the archbishop, each received an annual income varying from 40 to 60,000 dollars.—*Letters*, p. 84.

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could not have a peculiar construction as a portion of the universal church, and in truth it had not. It acknowledged *not only* nominally, *but really* submission to the Pope, and it was *not* in reality independent of him. The Pope had as much jurisdiction in South America, as he had in Spain, in France, in Portugal. It was *not* subject to the King of Spain *only*, or in any manner, as its supreme head. This article then commences with three very serious mistakes, for which we do not blame the reviewer; he fell into them from want of being acquainted with the doctrine and discipline of our church. He had before him facts which he did not understand. In this respect he is not singular. Some of our most learned and respected friends, amiable, good men, whose talents are far beyond our pretensions, and whose general knowledge is much more extensive than we can ever hope to acquire, and who have travelled in Catholic countries, have frequently given to us lessons which have greatly corrected our pride, when we heard them declaiming in blunders upon what was not worth their serious attention, but had been the subject of our deep research and long study. Though we must bow with deference to the literary dictation of the editor of the North American Review, yet as we wish him to be perfect in everything, if he would not be angry at the impudence of our suggestion, we would humbly offer to teach him Catholic Theology and Church History, not for the purpose of making him embrace "a system which raises such a TORRENT OF INIQUITY, that wise and virtuous bishops, armed with all the authority of the church cannot check, nor turn it aside"—but that he may write upon those subjects in such a manner as not to excite the smile of those who have studied, and the indignation of those who know what the Roman Catholic religion is.

We can leave to others to carp at the slight anachronism of making Alexander VI., who died in 1503, give a bull ninety years afterwards, 1593, to Ferdinand, who died in 1516, and Isabella, who died in 1504; as we prefer throwing the fault upon the compositor, who ought to have given the true date of the document, 1492, to suspecting that the reviewer could by any possibility be ignorant.

We shall only undertake to give such an explanation as satisfies our own minds, and may, perhaps, satisfy our readers, that although Ferdinand and Isabella did not want the Pope's bull to enable them to occupy America, yet that there were some circumstances which then existed and are not often told by historians or writers of a particular description, which throw much light upon the subject, and next that this bull did not make the King of Spain supreme head of the *ecclesiastical hierarchy* in South America.

The naval character of England had not yet been created in the decline of the fifteenth century. The Italians had considerably neglected their maritime affairs, or confined themselves within the Straits of Gibraltar; but the Portuguese had already penetrated to India by the Cape of Good Hope; they had made several settlements upon the coast of Africa, and discovered the Madeira and Cape de Verd Islands. The Spaniards had been embroiled with their Portuguese neighbours,—and when, in 1472, Cardinal Borgia, afterwards Alexander VI., was sent by Sixtus IV. as legate to Spain, he did much to reconcile their conflicting interests. Columbus having offered his services to Portugal, upon their rejection by Genoa, and finding the unfair advantage which had been taken of his charts and documents, requested employment from Spain; and in 1492, having obtained his commission through the exertions of Isabella, before Rome was consulted, the king, Ferdinand, had granted him his authority. But a probability of disputes arising between the Spaniards and Portuguese was foreseen; and as one of the professed objects of the courts was the conversion of infidel nations to the Christian faith, in the avowal of which we believe Isabella was sincere, it became necessary to obtain from the chief pastor of Christendom, the proper jurisdiction; hence application was made to Alexander, who was then Pope. Few who sat upon the Papal chair have disgraced it: but, amongst those few, Alexander VI. is shamefully conspicuous. In this bull he not only gave the crown of Spain the exclusive power to send duly authorized clergymen into those countries which should be discovered, to the westward of a meridian, one hundred leagues west of the Azores,—but the words have been also construed to mean assumption on his part, of a right to confer the temporal dominion of those new discoveries. However, we are of opinion that the correct view of this Papal act was, drawing a line of demarcation, and giving, by virtue of his apostolical authority, power to the crown of Spain to send missionaries to all newly discovered lands to the west of that line,—and to the Portuguese to send missionaries to all newly discovered lands to the east thereof, so that no conflict should arise between those two naval powers, then the only ones employed in pursuing discoveries. Thus,

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although we do not acknowledge in the See of Rome any power to grant temporal dominion, we do acknowledge its exclusive right to exercise and to confer spiritual jurisdiction in all places which are destitute of lawful pastors,—and of this description, are, of course, all newly discovered lands. We, moreover, do think that no plan could be more wise or better calculated to preserve peace between two scarcely reconciled naval powers employed in making discoveries, probably for their own aggrandizement, though under the pretext of religion, than to confine their religious jurisdiction in such a way as to prevent their collision.

Now, if these bulls gave merely the temporal rights over the newly discovered nations to the Spanish crown, as writers generally assert, we could at once, upon this ground, tell the reviewer that it did not follow, from the grant of temporal dominion, that the crown of Spain received spiritual authority,—and in this supposition the reviewer's premises would not contain his conclusion. If he says the grant was both of temporal and spiritual power, it will not make the case stronger than we make it by confining it to what is improperly called spiritual, but properly ecclesiastical. Confining the grant to this, Alexander VI. bestowed no more than he could and might have given, viz., a delegation of his own power to a certain extent.

Thus, it is clear, that if the crown of Spain claimed by virtue of the bull, it acknowledged the right to grant in him who gave that document. The grant was but the delegation of a power; no person can make a power of delegation, unless he has the original power in himself, nor can the delegate, upon general principles and common right, withstand the revocation of that power,—though he may, upon special contract, or, which is the same thing, special law. The reviewer is, therefore, totally wrong in principle, when he contends that, by virtue of this bull, the power of the Pope over the ecclesiastical hierarchy of South America was unwittingly put away from the Papal See.

He not only is incorrect in principle, but he is incorrect in fact,—for there was no hierarchy more attached to the Papal See, more observant of its ordinances; and one of the most common topics of reproach against the South American clergy, by writers of the same stamp as the reviewer, has been, for two centuries, their abject servility to the Pope.

What has been the cause of his mistake? Are not the facts correctly given? Some are, others are not. In those which are correctly given, he makes very serious mistakes respecting their bearings. We would ask him, in place of the following vague expression, "This jurisdiction granted, as they say, *por bulas de los sumos pontifices de su proprio motu*, they (the Kings of Spain) have always retained and exercised, notwithstanding some ineffectual endeavours on the part of the See of Rome to recover the ecclesiastical power,"—to give us a few facts, names, times, circumstances. This is the mode of testing truth. We are sick of this unmeaning verbiage which is deceptive; for it leads the unthinking to believe that so great a man, so wise a man, so learned a man, so liberal a man as the editor of the North American Review, would not make assertions without facts. O that he would condescend to favour us with a few, and thus give us the opportunity of testing the truth! "The Popes never had any authority in South America." We say they always had. Every archbishop, every bishop, every church dignitary, swore to support that authority, obeyed that authority, and swore that it was of divine institution. Find us one archbishop, bishop, or dean entering upon his office by any other authority, and we yield to you the palm.

The reviewer either does not know his subject, or he wilfully endeavours to deceive his readers. We are by no means disposed to believe him to be a dishonest man. He probably could not learn the nature of the doctrine and discipline of the Roman Catholic Church in the New England colleges,—and we cannot, therefore, wonder that he makes the mistakes which crowd upon his pages.

We shall explain a small portion of our canon law, and thus help him to a solution.

A benefice is an act of benevolence performed by one person in favour of another. This act may be a gratuitous donation, or a favour conferred for some service already done, or to be done at a future period. It is plain, the donor may, upon making his gift, accompany the benefice by requiring any condition which he may think proper. It rests with the person to whom it is offered to receive the gift upon the stipulated condition, or to decline the acceptance. A corporation may receive such a gift upon condition that some one or more of its members shall perform certain duties. The church at large is a spiritual corporation. She has made several laws regulating what conditions may, without injury to religion, be affixed to her benefices. She has also appointed which of her public officers shall have authority to enter into those special

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agreements, and how far their powers shall extend.

An ecclesiastical benefice is, then, some permanent advantage enjoyed by an ecclesiastic, in consideration of a certain spiritual duty to be done by him. One of the usual stipulations of the persons who create an ecclesiastical benefice fully sufficient for the respectable support of one ecclesiastic, is for the enjoyment of the right of patronage. The right of patronage arises only where the benefice is of a permanent nature, such as land, public funds, &c., the property of which is conveyed fully and irrevocably from the donor to the church, and the dominion of which is thus vested in the church,—the use being in the incumbent, who is also during his incumbency the trustee who, in the name of the church, exercises the dominion necessary for the preservation and defence of the property, but who has no dominion of conveyance in himself. The right of patronage consists in the privilege which the donor, and after him his heirs, possess of keeping, during a short time, this place open after the death or removal of the incumbent, so as to give to the donor an opportunity of presenting some one of his own choice, who is fully qualified for the discharge of the duties of the benefice to the superior, who has power to give him the necessary jurisdiction for their discharge. The superior is bound to give a preference over all others equally qualified, to the candidate presented by the patron. The spiritual superior is the sole judge of those qualifications, and the only source of jurisdiction. The offering a candidate as the one to be preferred, is called presentation. The subsequent giving jurisdiction is called investiture. The right of presentation is in the patron, the right of investiture is in the spiritual superior. The presentation gives no power, the investiture only gives the jurisdiction.

When the person presented is inducted or invested, he is the incumbent; he may exercise the power by virtue of the commission of the spiritual superior, and he enjoys the benefice through the liberality of the patron. But should he commit a fault, or neglect his duty, the right of visitation and inquiry is only in the spiritual superior; the patron cannot interfere, he cannot prevent the visitation, he cannot protect the delinquent. Neither can he remove the incumbent, nor sit upon his trial, nor withhold the income; for before he could obtain the right of patronage, he was obliged to relinquish the dominion and the management of the property; the incumbent is amenable only to his spiritual superior, and the only right of the patron, the right of presentation, will revert only upon the vacancy.

Thus, the King of Spain having endowed all the bishoprics and archbishoprics of South America, enjoyed the right of presentation. The Pope was the spiritual superior; he had his power of confirmation or rejection; by his letters apostolic he gave investiture, &c. Hence the patronage of the Kings of Spain did not divest the Pope of his power,—and the reviewer would never have written as he did, if he had the slightest knowledge of the subject; but we do not blame him for his want of opportunity. The same principle explains the case of the minor benefices. The king was patron, the bishop was the superior.

We now take up another fact. In almost every Catholic country, there is a concordat or agreement, between the government and the Pope, one clause of which generally is, that all public correspondence shall pass through the office of the government. The object of this is to guard against any possibility of an encroachment by the Pope upon the temporal power or the conceded rights of the government. Spain has a clause of this nature in her agreement with the Pope; hence all public documents pass through the regular offices. Is this any diminution of the *ecclesiastical authority of the Holy See?* The only sanction which they received in the Council of the Indies, was a certificate that they contained nothing in derogation of the king's rights, or of the principles of the concordats.

It is a little too much to assert that "ALL *the ecclesiastical revenues* went to the king." There were but those revenues, out of which he was bound to support a very large establishment. The reviewer acknowledges that if he received copiously, he paid liberally. We will agree with the editor in what we believe to be his opinion. The establishment was far too numerous, and the church was a great deal too rich. And there were too many churches and chapels in South America, which is one reason why we think the king ought to have more fully and strictly enforced the restriction of building. One principle is very fair,—no man should be compelled to pay his money without his consent. We would have this apply to kings as well as to others. The fact is, the king had bound himself to support the churches and their pastors; was it then unfair that he should enact, that no new church should be built without his consent? We believe in America no one will contend, that it is unjust to restrict, by law, the amount of property which even

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private individuals shall be at liberty to place in mortmain for religious purposes. The King of Spain did no more than is done by our own legislatures, when he required that his license should be had for this alienation of property from temporal to ecclesiastical purposes.

There is an old custom in our church, which the Church of England also retains, that every incumbent, upon receiving his benefice, shall pay what is called his annates, that is, a composition usually called his first fruits, or first year's income, to a fund for ecclesiastical purposes, viz., repairs of the church, enclosure of the cemetery, support of aged or poor clergy, maintenance of church officers, for whom no other or insufficient provision has been made, &c. In South America, the king paid all those expenses, and took the annates.

Our object being only to correct the mistakes of the Reviewer, and to give to our fellow-citizens such knowledge of facts as may be necessary for the vindication of our church, we must defer making any remarks until after we shall have concluded our examination, which we hope to do in our next.

SECTION V.

We now insert the last portion of this very offensive article:

"No more than a very imperfect notion can be formed of the influence of the church establishment in South America, from the written statutes and regulations by which it was governed. The best laws may be abused, and will be abused, where there is not a stern and efficient power to put them in execution. To those parts of the laws of the Indies which relate to the church, little can be objected, considering the nature of the establishment. Their main defect is a want of appropriateness. They are explicit enough as to the public duties of the church officers, the modes of government, external regulations of churches and monasteries, collecting tithes, and taking care of the revenues; but they are nearly silent on things the most essential to secure to the people faithful, pious, and devoted religious teachers and pastors.* The laws come not down to these particulars; and from these alone, as displayed in the character and conduct of the clergy, can we judge of the actual tendency of the church establishment in the Spanish provinces, and of the gross abuses that were practised in defiance of its laws and its discipline. As illustrative of this subject, we will select two or three paragraphs from the letters of Mr. Pazos, who was a native of the country, and grew up from infancy amidst the scenes he describes. He is speaking of the *curas*, whose duty it was to teach the Indians, and the more ignorant classes of the people, and each of whom received a salary of not less than four thousand dollars. In this class of clergymen, if anywhere, we ought to expect faithful teachers. Look at the picture exhibited by this writer.

"'Among the *curas* are many Europeans and others, who do not understand the Peruvian language, and who procure their parishes by the recommendation of the viceroy, or some Spanish chief. Although the canon law requires that the parish priests shall understand the language, and reason certainly demands the same thing, still his majesty dispenses with that knowledge in the qualifications of the *curas*, and there are therefore preachers and hearers who cannot understand each other! It is sufficient for the *cura*, if his hearers understand these words, *Obvencion kollkata appamoon-keechoo?*—'Have you brought the money of the *obvenciones?*' The *obvenciones* are one of the modes of obtaining money, which is practised under the Roman religion. They include benedictions, masses, festivities of Christ, of the Virgin, and the saints, processions, marriages, funerals, and souls in purgatory. The *curas* and friars inculcate, with the most ardent zeal, the doing of good works here, in order to be happy hereafter. These good works consist in the festivities before mentioned, and saying masses. Every mass costs two dollars; if chaunted, the price is double. At Buenos Ayres, it is but one dollar. There is a royal tariff, *Arencel de Derechos*, which regulates the rates of these religious exercises.

"'The Indians, although ignorant of the principles of this religion, join in these festivities with great alacrity. They principally consist in masses chaunted with music, before the patron saints. The chaunters and musicians are Indians, who perform their parts with much skill, being excellent musicians, and chaunting Latin from memory, without understanding a word. At the time of mass, the Indian stands before the altar, covered with an oil cloth belonging to the Virgin or the saint, holding a flag in his hand; and at the end of the ceremony, the priest, covering the Indian's head with his mantle, says over him the beginning of the Evangelist of St. John: "In principio," &c. This ceremony brings the cura from twenty-five to one hundred dollars, according to the dignity of the saints, and the solemnity of the mass.'" (pp. 86, 87.)

"After speaking of the festive ceremonies and processions in the streets, dancing, mirth, and drinking, in all of which the 'Indian believes he is performing an acceptable service to his God,' the author proceeds as follows:

"'Besides the festivities in honour of the saints in heaven, there are others for souls in purgatory. The second of November in every year, is the day appointed by the Romish Church for that festivity. On that, hundreds of monks and priests inundate all the cities, villages, towns, and country chapels, in search of *responsos*, which are "Pater nosters," said to liberate souls from purgatory. This service, which occupies but a moment, costs six pence; and although the price is so trifling, it is a source of large in-

* Recopilacion de Ley. de Ind. Lib. I. Tit. 1. De La Santa Fe Catolica. Tit. 2. De los iglesias.—Tit. 6. De los Arzobispos, Obispos, i Visitadores.—Tit. 10. De los Jueces Eclesiasticos.

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come to the priests, as the people universally order *responsos* for their deceased relatives and friends.'" (p. 88.)

"'From their religious festivities I now pass to their funerals. The tax levied upon these solemnities is most painful to the Indians, and the most barbarous avarice is displayed in its exaction. The sum which the Indian is obliged to pay is in proportion to his wealth, varying from $5 to $100. His property is narrowly investigated, and the violence of oppression unites to aggravate the afflictions of a man who has lost a father, a brother, or a wife. I have seen the poor Indian weep till his heart was well nigh broken, at the levying of this unjust contribution. But the European curas, whose hearts are harder than the gold they covet, turn a deaf ear to the widow, whose children are taken from her to pay this tax. A religion so abused, and transformed into a systematic mode of thieving and robbery, is a calamity more dreadful than a pestilence.'" (pp. 91, 92.)

"Such are the perversions countenanced under the religious system which we have been describing. The laws and written rules of the church, it is quite certain, encouraged no such wicked abuses; but neither did they prevent them. Here was the root of the evil, and it was deep and strong. The establishment was majestic and imposing in its outward forms; its machinery was perfect, so far as it gave universal patronage to the king, and filled his purse with gold. This end it attained, and this was all. The spiritual guides of the people were the worst enemies to their peace and happiness; precept and example conspired to scatter poison in the hearts of the unsuspecting, to corrupt the springs of good principle, and extinguish the light of moral truth. It would be uncharitable to suppose that there were not good men in the South American church, in the days of its worst condition; nay, history records the names of those who have been bright ornaments of their profession and of human nature. But this fact only adds darkness to the system itself, which raised such a torrent of iniquity, that wise and virtuous bishops, armed with all the power of the church, could not check nor turn it aside. Let the practical influence of this system, and its positive effects on the mind, moral sense, affections, social feelings, and religious principles of the people, be considered, and we doubt whether a spectacle more gloomy could be presented to the philanthropist, or the friend of human improvement and happiness."

The reviewer here more distinctly places before us his authorities, and thus relieves himself in a great measure from responsibility. We are not aware of the character of Mr. Pazos; but we are acquainted with the principles of our religion, and we do know from authority upon which we can rely, the manner in which those principles are brought into action in South America. We also know the manner in which a certain description of writers exhibit our relation to a certain class of readers. Probably we had better, by giving a history of our own experience, show what we wish to convey. We have premised that we do not know Mr. Pazos: we do not know in what language he wrote. nor where his work was published. We therefore are not aware whether he ought to be included amongst any class of writers whom we designate as totally unworthy of credit.

We did at one period believe the Spaniards in Europe to be a most superstitious people, whose ignorance of the true principles of religion was exceeded only by the South Americans, and the Portuguese. We were led to this conclusion: 1, by the testimony of Spanish priests who, disgusted with the folly of the people, left the country; 2, by the testimony of well-informed Spaniards who left the country; 3, by the testimony of Roman Catholics of other nations, who had been amongst them; and 4, by the testimony of respectable Protestants who had travelled in Spain and Portugal, and South America, and who were liberal and honourable. With such impressions upon our minds, we attributed to weakness, or to a mistaken piety, the eulogies which we heard passed upon the clergy and people of Spain, by some ecclesiastics who had spent many years amongst them; we were by no means disposed to rely upon their testimony. Yet we found it to be so uniform and so consistent, that we were induced to examine closely. We did; and the result was, but not until after the lapse of a considerable time, that our opinions were completely changed. We were convinced by evidence of testimony, and of their subsequent misconduct, that the first class of witnesses who testified to the superstition, were generally, indeed we do not recollect an exception. priests who either had been placed under censures, or not content to observe the laws of the church, had fled from their country, because they wished to escape punishment, and then to justify themselves and to flatter the prejudices of the Protestants amongst whom they found themselves, calumniated that religion and those institutions which would not tolerate their irregularities. The second class of witnesses, we generally discovered to be what are usually called *men of the world*, that is, men well informed upon most subjects except religion; men who were above what are called *vulgar prejudices*, that is, who cared nothing for the laws of the church; men who were *liberal*. that is, who laughed at the religion in which they had been brought up, and found that best which was most fashionable, who would be Roman Catholics in Paris, Protestant Episcopalians in New York, Church of England men in London, Calvinists in Geneva. and Puritans in Connecticut, Unitarians per-

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haps in Boston, and perhaps followers of the prophet, in everything but abstinences, in Constantinople. The third class of witnesses were too often not sufficiently acquainted with the language of the people or the customs of the country, and had but few opportunities in a galloping tour, to make minute inquiry, and very often also took the privilege of travellers. The testimony of the fourth class must necessarily be equivocal in its nature, whatever may be the integrity of the witness, because his own opinions and his want of a thorough acquaintance with the nature of our religion, must disqualify him. We have known witnesses of this description make the most flagrant mistakes, whilst they testified with the most conscientious integrity.

We know that it has lately become fashionable in England to seek after knowledge regarding Spain, and what were her colonies, and many persons have undertaken to write, who, in order to make their works profitable, must cater equally for the public prejudices, as for the public appetite for information. And no class of persons are more ready to direct their employers how to make a work fashionable, than the London booksellers. "A few side blows, sir, given to Popery; a few sentences against superstition; a few dashes against bigotry and ignorance, will do better, sir, to get off fifty or a hundred copies, than a ten guinea paragraph in a second-rate Review."

Another object at present with many who wish well to the independence of South America, is to make that cause as popular as may be; no better mode they think can be devised than by depicting the horrors of the oppression from which they have escaped; John Bull groans too much under his own load of taxes, to permit that topic to be handled with too much freedom, and the oppressions of Popery are substituted, though in all conscience the oppression of the tithes in Great Britain and Ireland are ten times worse, especially as the Spaniards do not tithe the Protestants after having previously plundered them of their lands and their churches. But do not these men see that if they wrote for an inquiring people, their argument would avail nothing? For the republics continue that church as it was under the king.

Here are general reasons why we do not place any reliance upon such publications as we have alluded to. There are besides, special reasons why we disbelieve many of their allegations; first, because we have better evidences in contradiction; and secondly, because we have the best reason to know, that the principles of our religion are not such as they would lead their readers to infer.

As to the reviewer, he acknowledges two facts:—1. That but an imperfect notion of the influence of the church establishment can be formed from the written law. 2. That little can be objected to the laws of the Indies, respecting the church, considering the nature of that church. From this we should infer that he has [no complaint to make] of these laws, yet he tells us they want appropriateness. Now we ask in the name of common sense, how can he know that? He does not know our religion; he does not know the people—and still he says that laws are not appropriate, though he is ignorant upon both heads, of principles and facts. But he tells us they are nearly silent on the things most essential to secure to the people good and religious pastors. Why? For a very obvious reason. Because that was a subject which the canon law was to regulate, and with which the Council of the Indies had no concern, and it would be as ridiculous for the Council of Trent to legislate for the government of Massachusetts. Let him turn to the laws of the Council of Trent upon the subject, and he will find it amply and minutely regulated. Let him look to the sixth session of the Council of Trent, chap. i. and ii. on Reformation, and also consult the several more ancient canons and decrees therein referred to, and he will find copious and distinct regulations for the securing to the people devoted and religious and learned bishops, and pointing out the manner of selecting, the mode of trying, and the extent and way of punishing the criminal or the negligent. In chap. iv., he will find the mode of visitation and its object.

The duties of the bishops are pointed out, Sess. V. Cap. 2, de Reformat. Sess. xiii. Cap. 1, de Reform. The duties of parish priests, *curas*, and other such pastors, in Sess. xxiii. Cap. 1. The mode of examination and appointment, &c., Sess. xxiv. Cap. 18. General regulations for the conduct of all clergymen, Sess. xxv. Cap. 1, de Reform. &c. We could multiply our references very easily, and prove distinctly that there did not exist in our church in South America a want of appropriate laws, but there did exist in the reviewer, a total want of information upon a subject which he was not qualified to write upon.

It may not be amiss here, to lay before our readers one or two extracts from those regulations which are not appropriate—which do not provide for giving devoted and religious pastors to the people.

Session XXV. Council of Trent, held on

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the 3d and 4th days of December, A. D. MDLXIII., being the 9th under Pius IV. Pope.

DECREE OF REFORMATION.

Chapter I.

"It is to be wished that they who undertake the episcopal ministry, should recognise their duties, and understand that they are called not for their own profit, not to riches, or luxury, but to labours and cares of solicitude for the glory of God. Nor is it to be doubted, too, but the rest of the faithful would be more easily incited to the deeds of religion and innocence, where they saw their prelates thinking not of the things of the world, but of salvation of souls and of their heavenly country. As the holy synod perceives this to be a principal aid towards the restoration of ecclesiastical discipline, it admonishes all bishops, that often meditating upon those things, they may show themselves fit for their situation in their acts, and in the whole conduct of their lives, which is a sort of perpetual preaching: and in the first place let them so regulate their whole deportment that the others may learn from their example the lessons of frugality, modesty, continence, and that holy humility which so much commends us to God. Wherefore, it not only commands after the example of our fathers in the Council of Carthage, that bishops be content with moderate raiment and furniture, and a frugal table; but moreover, that they do be careful in their whole mode of living and in their dwellings, that nothing shall appear which is not in accordance with this holy institute, nothing which will not exhibit simplicity, zeal for the service of God, and contempt of vanities.

"It entirely prohibits them from enriching their relations or acquaintances, or friends, by the revenues arising from the church: for the apostolic canons forbid the giving to relations the income of the church, which is the property of God; but if their relations are poor, let them be aided as poor; but let not the income be wasted or squandered on their account. Furthermore, the holy synod strenuously admonishes them entirely to lay aside all human attachments and affections of a worldly nature, for their brethren and their nephews and blood relations, because from them has arisen too often the cause of many evils to the church.

"It moreover decrees, that those things said regarding bishops, are to be observed not only by all others obtaining benefices, whether secular or regular, but also by the cardinals of the holy Roman Church: since as it is upon their advice to the holy Roman Pontiff, the administration of the universal church depends, it would be extremely improper that they should not shine in the marks of virtue, and discipline of life, which would deservedly turn the eyes of all upon them."

From the highest to the lowest office in the church of Spain and South America, and everywhere else, special laws are made upon the principles of the above decree. Respecting the *curas* or parish priests, the Council of Trent enacts, Sess. V. C. 2, de Ref; that since the preaching of the Gospel is not less necessary than the reading thereof, these parish priests shall on Sundays and festivals preach, and this preaching is to be, informing their flocks in short discourses, the things necessary for salvation, and in plain language exhorting them to avoid the several vices, and to practise virtue so that they may escape eternal death, and obtain heavenly glory; also the nature of their spiritual duties. The bishop is to punish them, if they are negligent, and if they preach pernicious doctrine, he is to silence the transgressors. No person, though in orders, is to be allowed to preach, until examined by his superior as to his mode of living, his morality, and his information.

We are obliged to close much sooner than we had intended this portion of our remarks. We shall, however, continue to examine all the remaining topics of the article. At present, we shall only assume that the reviewer has been much too hasty in his conclusion that the laws of our church were wanting in appropriateness, and did not provide for securing to the people good and devout and religious pastors. We should be glad, without meaning any disrespect to a particular body of persons, amongst whom we count many valuable friends, to compare the laws of our church in South America in that regard, with those of the society or church, we desire to give the name they prefer themselves, of the Unitarians, or of any other religious body in the world.

SECTION VI.

We find the very serious errors in this article to multiply as we proceed in its examination. However, the respectability of the work must add great weight to the evil done to our religion, and will plead our excuse for the minute details of our correction.

In our last we showed the mistake of the editor respecting the appropriateness of our church laws in securing good pastors to the people. We now have to contend against the authority of Mr. Pazos, and labour under the inconvenience which must necessarily arise from ignorance of the character of the witness. However, we find in the very article itself a flagrant logical error,—that sophistry which draws a general conclusion from particular premises. Mr. Pazos tells us that "among the *curas* are many Europeans and others, who do not understand the Peruvian language." This is evidently confined to Peru, and clearly does not refer to all South America. Again, it refers to only *some* of the curas, *not to all*. Now, these two restrictions notwithstanding, we get the colouring from the Review, as if it related

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to all, or to the generality of the *curas* in South America. To be sure, you will not find it written by the reviewer in so many words—"The general body of the parish priests could not speak to their flock in a language which they could understand." But the proposition is insinuated both by Pazos and by the Review. Indeed Pazos tells us it was only necessary for the parish priest to be able to ask the Indian whether he brought money. And the reviewer took Mr. Pazos as ample authority.

We beg to inform him that this authority cannot be good, and next that his own expressions go farther than his authority. What are the facts?

In other parts of South America, as well as in Peru, many of the Indians did not understand Spanish, and many of the curas did not understand the Indian language; and the canon law does require the cura to know and to speak the language of his flock: the law was then appropriate. Yes; but the king dispensed with the law, and a cura was sent, who did not understand his flock, nor did the flock understand the priest. Such a fact might, and did rarely exist, yet the people were taught.

In South America there were and are many parishes in which a knowledge of the Indian dialect is not necessary, for it is not spoken, and the few Indians to be found in those places did understand Spanish. But the general law required *every cura* to speak the Indian dialect: in this place there was a special ground of exception, which was the basis of the dispensation. Mr. Pazos, then, did not make a correct statement. The bishop could not induct the cura until he had been examined as to his knowledge of the Indian tongue, and found competent to hear confessions and to preach; but in the case before us a dispensation from the law was granted, because the application of the law was not necessary.

But this, we will be told, is not the case which Mr. Pazos describes, for he expressly says, "there are therefore preachers and hearers who cannot understand one another."

We now come to that case. It is one which was very seldom found, and when found, is not what the reviewer imagines and Mr. Pazos insinuates. In a parish there are Spaniards and Indians: the cura does not understand the Indian language; the Spaniards, however, could understand the cura,—when he preached, one part of his flock understood him, the other did not. There were, indeed, in a few instances, preachers and hearers who did not understand one another. But this is not peculiar to South America; it was the case frequently in Ireland: the parish priest preaches in English; half his congregation do not understand what he says. Another preaches in Irish; a large portion of the hearers do not know what he says. We have seen it in this city: a Roman Catholic clergyman preached in French; two-thirds of his congregation knew not what he said. The same case will be found in a thousand places. But is this not a very unnatural state of things? How can those people be instructed? Very easily. The cura has a vicar, or an assistant priest, who speaks the other language. Hence, though there may be a very few cases in which the cura does not understand some of his flock, and a portion of his flock cannot understand him, still there is an assistant who in those cases supplies the want. But there is no case in which the Indians are left in South America without a priest who speaks their language. though that priest is not always the parish priest. In the Roman Catholic Church, the clergyman must receive the penitent's confession; in South America the Indian must confess at least once in the year, so that such a case as Mr. Pazos insinuates cannot possibly exist. The Indian must be instructed in his own language; must repeat and understand the forms of prayer in his own language; must rehearse his catechism in his own language; must confess in his own language; and all this, and much more, required of every man, woman, and child arrived at the use of reason, must be done by the ministry of the priest. Any honest man, who has ever been in a Roman Catholic country, will instantly detect the criminal falsehoods of Mr. Pazos. The reviewer, having taken him as authority, cannot be responsible.

Mr. Pazos makes another mistake; for, though the canon law required that the parish priests shall understand the language, he tells us the king dispenses with that knowledge. That is, he gives the king a power to dispense with the canon law. This certainly was generous. In the proceedings of the Council of Trent, sess. xxi., cap. 6, de Reform., bishops were declared to have a remedial power. But we are not aware of any canon, usage, or decree, which gives a power of dispensing in canon law to the King of Spain, or to any other king. The truth is, the Spanish law regarding the colonies disqualified any priest, who did not understand the Indian dialect, from being inducted to a cure. But when the bishops stated that such knowledge was not required in a special case, the king's officer dispensed with the Spanish law, not with the canon law.

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A single expression will frequently betray the character of a writer; and in the extract from Mr. Pazos we have not a few which prove to us demonstratively that, if he wrote in English, he was very badly instructed in the tenets and the practices of the Roman Catholic Church; and if he wrote in any other language, his translator was not a Roman Catholic, and could not express properly the ideas of the original. In the first place, if he was a Roman Catholic, he wrote a deliberate untruth when he penned this passage: "It is sufficient for the *cura*, if his hearers understand these words, *Obvencion kollkatta appamoon-keechoo?* Have you brought the money of the *obvenciones?*" Secondly, his description of the *obvenciones* is totally and altogether incorrect. Thirdly, the title which he gives the religion is such as a Roman Catholic would not use. Fourthly, his statement regarding *good works* is an unprincipled calumny. We could add to these eight or ten internal evidences, in the quotation, of the position which we took at the commencement of this paragraph being perfectly correct.

But let us come to a few facts. "The *curas* and friars inculcate, with the most ardent zeal, the doing of good works here, in order to be happy hereafter." This is really strange. So the *curas*, who were dumb dogs only five lines before, are now ardent and zealous preachers!! Mr. Pazos will not after this assert that the age of miracles has passed away. "These good works consist in the *festivities* before mentioned, and *saying* masses." Now the *festivities* before mentioned were, we suppose, the *obvenciones*. "They include benedictions, masses, festivities of Christ, of the virgin, and the saints, processions, marriages, *funerals*, and souls in purgatory." It certainly will be a new idea to include *funerals* and *souls in purgatory* under the head of festivities, and the masses being included under the head *obvenciones*, and the good works consisting of *festivities* and *saying* masses. Although we are left to make out what *notions* we can from this involved sentence, we must either take the entire with its incongruities, or we must confine good works to *festivities* of Christ, of the virgin and the saints, and to *saying* masses. To have some precise idea, we must now know what is meant by *festivities*. Mr. Pazos is, unfortunately, not very explicit upon this head. He tells us "they *principally* consist in masses chaunted with music before the patron saint."—"At the time of mass, the Indian stands before the altar, covered with an old cloth belonging to the virgin or the saint, holding a flag in his hand; at the end of the ceremony, the priest, *covering* the Indian's head with his *mantle*, says over him the *beginning of the Evangelist of St. John*, 'In principio,'" &c.

Now we defy any human being to make out of this more than the following conclusion: "Good works consist in festivities and saying masses; and festivities consist principally in masses chaunted with music before the patron Saint." So that the upshot of the whole is, "Good works consist in saying masses and in chaunting masses." We shall now show the value of Mr. Pazos' testimony. He informs us that "Every mass costs two dollars; if chaunted, the price is double. At Buenos Ayres it is but one dollar." Thus, at most, the festivity or ceremony would bring the cura four dollars. Mr. Pazos informs us that "there is a royal tariff, *Arencel de Derechos*, which regulates the rates of these religious exercises." We should suppose he took his rates from this tariff. A chaunted Mass then in Buenos Ayres would bring the cura two dollars, and elsewhere four dollars. However, the gentleman's memory soon fails him, and at the end of the next paragraph the tariff is forgotten, for he assures us "This ceremony brings the cura from 25 to 100 dollars, according to the dignity of the Saints, and the solemnity of the Mass." How did this inconsistency escape the eye of the Reviewer? We really do not know of any *mantle* with which a priest *covers* the head of the persons over whom he reads. We know that there is a Gospel of St. John, the Evangelist—but we do not know how any priest could say *the beginning of the Evangelist of St. John*. We know what the writer means to describe, but he has written such nonsense as we should never understand, if we were not fully acquainted with the subject of which he treats, but which he grossly misrepresents. He intended to describe the ceremony of the priest laying the end of his stole upon the head of the Indian, whilst he read the beginning of the Gospel of St. John; to show by the ceremony that the Indian was, by professing his belief of the contents of that Gospel, and particularly of the union of the divine and human nature in the person of our Saviour which is there related, joined to the public body of the church, and in communion with its public ministers.

Never was there a more gross misrepresentation than that of Pazos, regarding what are considered *good works* in the Roman Catholic Church in South America. The curas and friars of that portion of the church, hold and teach the doctrine of their brethren throughout the world. That doctrine is

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laid down in the sixth session of the Council of Trent, from which we shall give a few extracts:

SESSION VI.

Celebrated on the 13th day of the month of January, MDXLVII.

Decree concerning Justification.—Preface.

Whereas, at the present time, not without the loss of many souls, and the grievous injury of ecclesiastical unity, certain erroneous doctrine respecting justification, is scattered abroad. For the praise and glory of Almighty God, the tranquillity of the church, and the salvation of souls, the holy and œcumenical and general Council of Trent, lawfully gathered in the Holy Ghost; therein presiding in the name of our most holy Father in Christ and Lord, Paul the Third, by divine providence, Pope—the most Rev. Lords Jo. Maria, Bishop of Prœneste, on the mountain, and Marcellus of the title of the Holy Cross of Jerusalem, Priest, both Cardinals of the holy Roman Church, and apostolic legates a latere; intends to explain to all the faithful of Christ, the true and sound doctrine regarding his justification, which the sun of justice Christ Jesus, the author and consummator of our faith, has taught, which the Apostles have delivered, and the Catholic Church at the suggestion of the Holy Ghost, has perpetually retained; strictly forbidding any person to dare henceforward to believe, to preach, or to teach otherwise than is established and declared in this present decree.

The Decree contains sixteen chapters and thirty-three canons. We shall give but a very few extracts:

Chap. 1. Teaches our fall in Adam, and our inability to save ourselves. C. 2 teaches that justification comes through Christ, our redeemer. C. 3. They only are justified to whom the merits of redemption are applied. C. 4 explains the meaning of being born again of water and the Holy Ghost. C. 5 teaches that the grace of God excites the sinner to conversion, and if the sinner will co-operate with this grace, it will lead to his justification. 6 teaches the mode of preparation to be faith in the declarations of God, reliance on his grace, conviction of our criminality, fear of God's judgment, hope in his mercy to those who are converted through the merits of Christ, love of God, hatred of sin, penance, and leading a new life, with a determination to observe the commandments. 7 teaches the causes of justification and its effects, especially in confirming our faith and exciting us to good works. 8 explains what is meant by being justified by faith and gratis. 9 states the erroneous doctrine. 10 shows how, after justification, progress is made therein by faith and works, through the grace of Christ. 11 shows that every person is bound to observe God's commandments, and that their observance is within our power, if we be aided by God, who will bestow his aid to those who seek it, and then continues: "Wherefore it happens that those who are justified ought to feel themselves more bound to walk in the way of justice, as they having already been freed from sin, and are now made servants of God, they may be able to go forward, living soberly, and justly, and piously, through Christ Jesus, by whom also they had access into this grace; for God doth not desert those whom he hath once justified by his grace, unless he be deserted by them." And again: "Wherefore the Apostle admonishes those who have been justified. Know you not that they who run in the race, all run indeed, but one receiveth the prize? So run that you may obtain. I, therefore, so run not as at an uncertainty. I so fight, not as one beating the air: but I chastise my body and bring it into subjection: lest, perhaps, when I have preached to others, I myself should become a reprobate. So, too, the prince of the Apostles, Peter. Wherefore, brethren, labour the more, that by good works you may make sure your vocation and election: for doing those things, you shall not sin at any time." Chap. 12 warns against the danger of the doctrine of predestination. C. 13 treats of the gift of perseverance, and has the following expressions: "For God, unless they fall off from his grace, as he began a good work will perfect it, working in them both to will and to accomplish. Wherefore let those who think themselves to stand, take heed lest they fall, and with fear and trembling work their salvation in labours, in watchings, in alms-deeds, in prayer, and oblations, in fasting, and chastity: they should fear, indeed, knowing that they are regenerated to the hope of glory, but not yet to glory itself, knowing also the contest in which they are engaged with the flesh, the world, and with the devil, in which they cannot be victorious, unless by the grace of God they obey the apostolic injunction: brethren, we are not debtors to the flesh, that we should live according to the flesh; for if you live according to the flesh, you shall die, but if by the spirit you mortify the works of the flesh, you shall live."

Chap. 14 treats of those who fall from their justified state, and the mode of their renewal, and desires that they shall be taught that the penance must contain "not only the cessation from sins and detestation of them, or a contrite and humble heart, but moreover, their sacramental confession, or the desire thereof at least, and the making thereof at the proper time, and the absolution of the priest, as also satisfaction by fastings, by alms-deeds, by prayers, and by other pious exercises of a spiritual life: not as satisfaction indeed for the eternal punishment which is remitted, together with the guilt, either by the sacraments or by the desire thereof, but for the temporal punishment which, as the sacred Scripture teaches us, is not always entirely remitted, as in baptism, to those who have with ingratitude grieved the Holy Ghost, and feared not to violate the temple of God."

Chap. 15 teaches that by any mortal sin grace is lost, though faith is not always lost. C. 16 treats of the fruits of justification, the merit of good works, and the value and nature of that merit; upon which latter point it states that God in the excess of his goodness crowns his gifts in us, so that what his mercy has enabled us to do, is by him regarded as our merit.

In those passages which teach the nature and the value of good works, continual reference is made to the lessons of our Saviour in the gospels, to those of the Apostles in their writings; and if masses,

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processions, and benedictions are recommended, they are as helps only to obtain grace to do the works of the Spirit. Never was there an unfortunate paragraph which, in so few words, contained more falsehoods and a greater number of ridiculous blunders, not to mention its contradictions, than this, which the reviewer selects from Mr. Pazos. The very phraseology betrays a writer who knows nothing of the subject which he treats of—"and *saying* masses"—no person but a bishop or a priest can *say* mass. So that if the good work consisted in *saying* the mass, the Indian thus described would have none of the merit of the good work. But we are tired of this accumulation of blundering falsehood and contradiction. However, it must all, we suppose, be true; for Mr. Pazos was born in Peru, and grew up in Peru—and because Mr. Pazos is a native South American, the Roman Catholic religion must be what it is not.

But we must here address ourselves to the reviewer himself. We ask him who authorized him to publish that a Roman Catholic Indian believes he is performing an acceptable service to his God in "dancing, mirth and drinking?" Does Mr. Pazos authorize the editor of the North American Review to assert this? If he does not, who does? We have spoken upon the subject with intelligent Protestants, who have spent much time in South America, and they authorize us to say it is not true. Neither is it true that those Indians are so ignorant as they are represented. The Roman Catholic Church has done more in any one province of South America to civilize and to Christianize the Indians, than all the other churches in the world have done all over the globe: and yet we are told of their ignorance! Come, you who revile us, exhibit your works; what have you done with the millions which have been collected for the conversion of the heathen? We will not speak of the East, we will not mention the North. We shall not produce Paraguay—we omit Colombia—we shall pass over Mexico. We meet Mr. Pazos upon his native soil. We assert that there is at this moment a more accurate knowledge of the facts and principles of the Gospel amongst a greater number of the aborigines of Peru, than amongst all the other Indians in the whole world, who do not belong to the Roman Catholic Church.

We have now lying before us upwards of forty volumes of the reports of our missionaries in the several parts of the world, and their contents are not vapid declamations, but substantial facts. We know the mode in which an impression is made upon the senses of the child of nature, not that the essence of religion consists in the mode of making that impression, whether it be by a procession or by a benediction, or by any other mode you please. The object is, by the impression, to teach a lesson of the deepest religious importance, and by repeating the impression to repeat the lesson. We can, in a conversation, inform the child of the forest of the death of the Redeemer, and before we could teach him to read a Bible we could show him a picture, and we could tell him of the fact whilst we left him the memorial; and where is the difference as to the result, if by a tedious process we taught him to read the same fact in the letters of the alphabet or on the engraver's plate? It is true, reading will extend his stock of knowledge, but we can teach five thousand by pictures before we could teach one with a book. The picture and image mode is suited to the infancy of the human mind, the reading mode is better suited to its maturity. Processions and other ceremonies are means, not the end, of religion, nor are they its essence. When our religion is described to consist only of the means, the essence is omitted, and we are misrepresented. Most of those writers who assail us are guilty of this; many conscientious, good men of other communions, see the means, but do not look to their relation: they are deceived, and without a criminal intention they deceive others.

There is another misrepresentation which operates against us. The facts which are substantially true are caricatured, and thus given to the world greatly distorted.

However, we must endeavour to finish our examination of Mr. Pazos, who again calls the second of November a festivity!!! No wonder that he should: in a former passage he called a soul in purgatory "a festivity." It is true that the 2d of November is the solemn commemoration of all souls: on that day masses are offered up, and prayers are said for the aid, and towards the liberation, of the souls in purgatory, not only in South America, but all over the entire western and southern patriarchates. Other days are observed for the same purpose in the other patriarchates. But it is not true that sixpences (by-the-by, we did not know they had such a coin as a sixpence in Peru,) are paid for "pater nosters" to the monks and priests. This is a gross falsehood: a dollar might be paid in some instances, or half a dollar to the priest who celebrates a mass, but generally no priest is permitted to celebrate mass oftener than once in the day; by a special custom, in some parts of South America, a priest might

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on the 2d of November celebrate three masses. But the purchase of "pater nosters" would be gross simony, and punishable by the laws of the church in the most decisive and summary manner.

The statement respecting the funerals is equally incorrect. We wonder Mr. Pazos did not call the funeral a festivity! We know very good Protestant churches which would be very loath to content themselves, however, with the fees that are levied by those "European curas, whose hearts are harder than the gold they covet." The "barbarous avarice displayed in their levying of the funeral tax," varies its demand from five dollars to one hundred dollars, which the poor Indian is obliged to pay: and who can doubt the correctness of the statement, for Mr. Pazos "has seen the poor Indian weep till his heart was wellnigh broken at the levying of this unjust contribution." This is really lamentable. Yet this generous Indian would drink, and dance, and walk in procession, and have his head *covered* with the *mantle* at the reading of the *beginning of the evangelist of St. John*, and hold a flag whilst he stood covered with an old cloth belonging to the Virgin, whilst mass was chaunted on earth *before* the patron saint that was in heaven, and he very willingly and unnecessarily paid from twenty-five to one hundred dollars for this, though it was only tariffed at one or two, or four dollars at the most, and he was not bound to have it done at all. Yet he generously gave his dollars then, and now he cries almost to the breaking of his heart, under the view of the consistent Mr. Pazos, who we suppose wept too, and all this because he is required to pay five dollars for a funeral, whereas in a good Protestant church in the city of Charleston, in South Carolina, he should pay fifty dollars in some, and upwards of one hundred dollars in some others. Yet the hearts of the people of Charleston are soft as the paper of the notes which they receive, and those of the curas are harder than the gold which they covet. So much for the difference between paper and gold, between a South American Catholic and a North American Protestant. "And the wailing widow's children are taken from her to pay this tax." Really we feel so disgusted with the libel that we are at a loss how to treat it seriously, and we cannot stoop to levity. We did see a caricature which only told the truth. It exhibited a clergyman seizing upon the tenth pig, and upon the tenth potato, and upon the tenth hen, and upon the tenth egg, but refusing the tenth child, and this in the midst of a people one-tenth of whom did not receive his ministry. Which was the more disgusting picture? Why shall we be driven to exhibit scenes that we wish, for the sake of humanity, for the sake of charity, to hide? And if the orphan child was taken from the widowed mother, for what purpose was it taken? Could the cura turn the child to gold? But why play with a falsehood? Mr. Pazos has here capped the climax of his misrepresentation. The Roman Catholic Church in South America, as elsewhere, observes the canons which command the curas or parish priests under the penalty due to simony, to give, gratis, the rites of interment and sepulture, to all those who die in their communion, and are unable to pay the usual fees. Those canons go farther, and forbid the parish priest to yield so far to avarice, as to permit even a voluntary subscription to be made in such a case. They command him to have it done gratis. These canons are observed in South America; they are not in the United States, because, as yet, the influence of those persons who attempted to rear the edifice of Catholicism upon a Protestant foundation, is not altogether destroyed.

We have now disposed of this good Peruvian's fictions; of what value is his conclusion? "A religion so abused, and transformed into a systematic mode of thieving and robbery, is a calamity more dreadful than a pestilence."

The picture is not fairly drawn. Our church is belied, and then we are abused for folly which is not ours—for criminality which we abhor. We say these are not facts:—they are fictions, misrepresentations, inconsistencies, contradictions. Mr. Pazos was born in Peru. This is no guarantee for his having stated the truth. Upon what do we question his veracity? Upon the testimony of clergymen and laymen whom we know to be honourable—upon the internal evidence of his own ignorance or that of his translator—upon the ground that he contradicts himself—upon our knowledge of the law and the custom not being what he states them to be—upon the inconsistency of asserting those assumed oppressions to have been among the principal causes of the revolution, and their being permitted to continue, though that revolution has been most successful—and lastly, upon the unimpeached and unimpeachable characters of the South American prelates, who must have been the worst perjurers, the vilest hypocrites, and the most inhuman monsters, if they permitted those evils to exist.

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SECTION VII.

After the close examination which we felt obliged to make of the article respecting that portion of our church which is in South America, it must be plain to those who have had the patience to read it, that the reviewer had a very imperfect notion of the subject upon which he expatiated, and that his authorities have egregiously misled him.

It is plain that he knew nothing of the nature or of the history of the *Bula de Cruzada*. It is very evident that Mr. Depons taught him what was not the fact respecting the *Bull of Composition;* and any Roman Catholic could instantly detect his own great mistakes regarding the *Bula de Defuntos*. Upon those mistakes and errors, he based his introductory paragraph in which he asserts that those bulls *corrupted the morality* of the people. If teaching a man to repent for his sins, if holding out strong inducements to prayer, if encouraging to frequent the institutions of religion, especially the sacraments of our blessed Redeemer, if insisting upon his restoring ill-gotten wealth to its owner, and compelling him to use every diligence to discover that owner, and when he made oath that his search was fruitless, causing him to pay it into the public treasury for national purposes, and transferring the estimate of the restitution which he should make, from his own partial judgment, to an impartial tribunal: if all this was corrupting the morals of the people, then those bulls *encouraged the vices* of the people. But upon what does the assertion rest that these precious devices of superstition were employed by alarming the religious fears of the people, to wring from them the little that remained after the torturing engine of taxation had done its heaviest work? It is true the people were told, and are still told in every Roman Catholic country, in every Roman Catholic tribunal of confession, from every Roman Catholic altar, that if they unjustly detain the property of their neighbours, they can never enter heaven. If this be a device of superstition, we acknowledge that to us it is so precious that we will guard it as the apple of our eye, and so will our brethren through the world. Yes, we will, after taxation has done its heaviest and its lightest work, in his progress through life, upon the very threshold of eternity, we will alarm the religious feelings of the unjust man and still tell him, though it were to wring from him the whole of what he possessed, "Restore to its proper owner what does not belong to you. What does it profit a man to gain the whole world, and to lose his own soul? Of what value are the riches which he left after him upon the earth, to the tortured rich man in hell?" Would to God that the principles of infidelity which Mr. Depons and his associates have disseminated, had left this precious portion of our superstition as strong as it was before such men began to shed their lurid beams upon the people; and these men called the murky meteors by the name of light!! These bulls wrung nothing else from the people, save the fruits of their injustice, "the property obtained by modes which ought to have conducted them to the gallows." All else was voluntary; it was, therefore, not wrung from them.

"The people were to be again plundered by this infamous juggling artifice to stir up their passions and interests, and even to quicken their crimes, where this could be done with a better prospect of grasping their money." Now we are altogether at a loss to conceive upon what premises these conclusions could rest. "The passions are stirred up by repentance for sin, by receiving the sacraments, by making restitution." "The interests of the penitents are stirred up, by making them disgorge what they have swallowed down by their avarice and injustice." "The crimes of the people are quickened by leading them to prayer and to repentance, and to restitution." We are totally at a loss to know how those conclusions are established. In those practices and regulations, we can perceive no "mockery of religion," no "league with the powers of darkness." The reviewer informs us, however, that "this league with the powers of darkness, is fast dissolving; religion could not be mocked, nor justice outraged any longer, and if the revolution had done no other thing than relieve the minds of sixteen millions of people from a thraldom so barbarous and debasing, the deed would of itself be a good reward, for the sacrifices and sufferings thus far endured by the South Americans gaining their independence."

After reading this passage, of course the reviewer must be under the impression that a great good has been achieved, the minds of the people have been relieved from the barbarous and debasing thraldom, justice is no longer outraged, religion is no longer mocked, the revolution has destroyed the league which existed with the powers of darkness. Yet in page 207, we are informed that in Mexico "up to this very year considerable revenue has continued to be raised by the sales of bulls and indulgences." Thus, either the people are, the revolution notwithstanding, as oppressed as ever, or else these were not considered by them to

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be oppressions. However, the reviewer adds, that it probably was necessary for a time to tolerate those abuses, as well on account of the habits of the people as the unsettled state of the revenues. Upon this ground we perfectly agree with the editor. We do consider the present mode of raising this tax to be little less than an abuse, and we do hope to see it abolished, and give way to better and more liberal institutions, though it was not and is not so abominable an accumulation of cruelty and fraud as he was led to imagine. We look upon it to be very badly adapted to the present times, though useful at its origin. We believe it has outlived its utility. It can be even now defended upon principle, but it is not, we think, equally beneficial in practice, as it has been, and except so far as the Bull of Composition, we should be glad to find it discontinued. But the work must be left to the good sense of a people who have proved themselves worthy of freedom, and to the piety and judgment of bishops who know the people and their circumstances, and at the head of whom is one who is as eminent for his learning as he is for his piety, and who proved to Iturbide that the Archibishop of Mexico preferred the independence of his country to the trappings of an ephemeral emperor.

One remark of the reviewer we cannot pass over without notice. After describing the imaginary mischiefs of curas who could not teach their flocks, and flocks who could not be instructed—after taking the assertion of Mr. Pazos, which, contrary to the fact, made the religion of the Indies consist in mere external show, and his own paragraph, which asserts that the Catholic Church permitted these people to believe that dancing, mirth, and drinking, were the chief ingredients of piety; after weeping with the wailing widows, and the heart-broken, we mistake, almost heart-broken Indians; after the inveighing against the hearts harder than gold of the avaricious curas, who contrived to force Indians to pay such vast sums which they were not compelled to pay, he tells us "such are the perversions countenanced under the religious system which we have been describing. The laws and written rules of the church, it is quite certain, encouraged no such wicked abuses; but neither did they prevent them." One point, then, is certain. The church is excused from the criminality of encouraging such abuses. Of course that church which does not encourage them does not enact them. They are, then, no part of her discipline; she is only chargeable with not preventing them. Against the host of writers and declaimers who perpetually assail us and insult us, and proclaim calumnies in place of truth, we may henceforth quote the authority of the North American Review, to maintain the position that those abuses are not precepts, are no part of our discipline, are not encouraged by our church. We shall ourselves undertake to show that the church did prevent them. But first let us keep close to our kind friend, the reviewer: "The laws and written rules of the church did not encourage such wicked abuses." We thank you for the testimony. It is a judgment of truth. The laws and written rules of the church form its precepts. These laws, these rules, these precepts, did not encourage those wicked abuses. Yet we are gravely told that the "PRECEPT and the example of the pastors conspired to scatter poison in the hearts of the unsuspecting, to corrupt the springs of good principle and to extinguish the light of moral truth." The PRECEPT is to be found in the laws and rules, or nowhere. Now the reviewer is our authority for asserting that it is QUITE CERTAIN the laws and written rules, that is the PRECEPTS, did not encourage wicked abuses. And the reviewer is our authority exactly within eight lines after (p. 192), for asserting that PRECEPT did aid to *scatter poison in the hearts* of the unsuspecting, to CORRUPT *the springs of good principle*, and to EXTINGUISH THE LIGHT OF MORAL TRUTH; and really we know not what wicked abuses are, if poisoning hearts, corrupting good principles, and extinguishing the light of moral truth, be not wicked abuses.

We may be asked, whether this is not a palpable contradiction. In place of giving an immediate answer, we shall give an explanation. We have too much respect for the editor of the Review to suspect him of bad intentions, and we are too soberly sad at this exhibition to treat with levity a cause of our unfeigned sorrow. We almost daily are doomed to witness exhibitions like the present, and we shall endeavour to account for them.

In a country like this, which has been nursed in prejudices against our creed, where, until very lately, except in a few of the principal cities, a well-informed Catholic could scarcely be found, and where everything in early education and after-reading was calculated to impress the youthful mind that our religion was a system of slavish delusion, groaning under the tyrannical sway of an ignorant, arrogant, and corrupt priesthood, leagued with the most unprincipled despots; that its component parts were superstition and persecution; that its characteristics were avarice and profligacy,

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chiefly exhibited in gross simoniacal traffic of pardons for all sins past, present, and to come, in exchange for money; in a country where the press, the fashion, the usages, and the historical recollections and family affections were all in arms against us, not twenty years since, it could not be expected that the mind would be free to form a correct, an unbiassed judgment in our case. The reviewer, we suppose, like many other good men, whom we know, made inquiry to the best of his opportunity for correct information, anxious to discover truth. He, unfortunately, like many others, fell upon bad authorities. Yet even in those he found, the laws of the church, TO A CERTAINTY, did not encourage abuses which he was told did exist. He made the avowal honestly. Yet, he was also told the abuses do exist. He believed they did, and not being acquainted with our law,—and how can we blame his want of opportunity?—he concluded, though the law does not encourage, yet the law does not prevent—"Here, then, is the root of the evil, and it is deep and strong." In his youth the current of his ideas flowed through the channel which had been made by misrepresentations; his own inquiry had taught him to discover the error; he weakly dammed up the entrance, but his knowledge of facts was not sufficient to enable him to make the new passage, and the accumulation of his thoughts pressing for a vent, broke down the weakest obstacle which opposed its egress, swept his new work away, and his words expressing his thoughts exhibited the return to his ancient course, and the contradiction to his modern assertions was too apparent. It is not the self-contradiction of a weak or of a wicked mind, but it is the struggle of an honest and of a strong mind, between prejudice by prescription and want of correct information on one side, and partial disclosure of truth and honesty on the other side.

The reviewer would find in the canon law, of our church, which is in force in South America, that the church did by her precepts, by her injunctions, and by her punishments "prevent those wicked abuses." Her bishops and officials were upon entering into their offices sworn solemnly and publicly to enforce those precepts, to have those injunctions observed, and to inflict those punishments. And that they did their duty, we are to presume, for we do not learn that the people even in the very moment of the revolutionary enthusiasm, whilst they declared and protested against every "wicked abuse," did at any moment, complain of ecclesiastical oppression, or of the abuses of church government. On the contrary, with an extraordinary unanimity, they preserve all its institutions unchanged whilst they change everything else. They abolish the Inquisition it is true, but the Inquisition is a state tribunal, not an ecclesiastical establishment; it is no more the part of the Roman Catholic religion than the English law which condemned a Catholic clergyman to death for saying Mass, or the New England law which condemned a Roman Catholic clergyman to death, for being found in the settlements of the Pilgrims, was a portion of the English Protestant creed or of the American Puritan religion. The fact of the republic's having placed the Catholic religion upon the same footing as it was under the kingly government, is a convincing proof that those revolutionists found nothing of oppression or of opposition to the spirit of republicanism in that religion.

The reviewer complains bitterly of the low state of information in South America, and informs us in p. 194, "the monastic darkness of the twelfth century, hung over all the universities and colleges of South America, down to the very beginning of the Revolution." In p. 195, "No provision was made for enlightening the community at large by founding schools for children, or communicating in any manner the first elements of education; no books were circulated, no teachers employed, no money granted." In p. 196, "Down to the end of the 18th century, we believe there were but three presses, in all Spanish America." "But the obstacle to the intellectual progress of South America, which was the most intolerable because the most degrading of all, was the tribunal of the Holy Inquisition." In his portion of the article on the *ecclesiastical hierarchy*, p. 190, the Inquisition "sought importance chiefly by the vigilance with which it guarded against the inroads of knowledge, and the zeal with which it drew closer and closer the veil of ignorance over the minds of the people." In p. 194, we find an extract from some anonymous writer which the reviewer introduces. "In the year 1678, a college was founded at Caraccas, which was afterwards raised to a university, and which, with the college and Latin schools appended to it, was usually furnished with ten or twelve professors. The manner in which these teachers were employed is thus described."

"Three professors teach enough of Latin to read Mass, Aristotle's Physics, and the philosophy of Scotus, which still prevailed at this school, 1808. A professor of anatomy demonstrates anatomy, explains the laws of animal life, the art of curing, &c., on a skeleton and some preparations in wax. Five professors are occupied in teaching theology and the canon

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law. One only, the most learned of course, is employed to defend the doctrine of St. Thomas on the immaculate conception against all heretics, and no diploma can be obtained without having sworn to a sincere belief in this revered dogma. The university has also a professor, who teaches the Roman laws, the Castilian laws, the laws of the Indies, and all other laws. A professor of vocal church music forms part of this hierarchy of instruction, and teaches to the students of law and medicine, as well as to those of theology, to sing in time and harmony the airs of the Roman ritual."*

Upon this we shall remark that the author labours under three very serious mistakes. 1. So far from its being *a heresy* to deny the doctrine of the immaculate conception, it has been decided, that as yet there is no evidence to show that any revelation has ever been made upon the subject, and any person who would style an impugner thereof *a heretic*, subjects himself to excommunication. 2. The clause of the oath does not require the person receiving the diploma to believe the doctrine to be true, but for the peace of the church, and uniformity of the schools requires that he shall not teach in contradiction to the opinion, for it is not a doctrine. 3. We will add that so far from the doctrine of the immaculate conception being the opinion of St. Thomas, he was the leader of those who opposed it, and it is opposed to this day, by all the schools of his order. It is not a doctrine of faith, because the church possessing either no evidence or not sufficient evidence of its having been taught by the Saviour or his Apostles has refused to decide either for or against its truth, but has issued a mandate to the disputants on each side, charging them, under penalty of excommunication, to refrain from asserting that their opponents were heretics. The accuracy of the writer may be appreciated from this, that in three lines he has stated three untruths. The fact is, those men do not care to learn any facts regarding Roman Catholics, but look upon it as a matter of course that the vast majority of the Christian world must be blockheads, whom they, of course, must hold up to ridicule. We beg leave also to assure the reviewer that the quantity of Latin necessary for the celebration of Mass is not to be known without a better knowledge of syntax and prosody than many of our North American universities do at the present moment possess. We can assure him also that we have seen wax preparations in probably the best medical school in Europe, and that they were considered its most valuable stock for demonstration in particular cases, at the same time that subjects were absolutely necessary in others. The gentleman forgot to state that instead of five professors of theology, it would be more correct to read one of natural philosophy, three of theology, and one of canon law. Nor do we believe the reviewer would quarrel with us for adding that the Roman law was a good thing to teach, especially to such young gentlemen as should practise even in a North American Court of Admiralty.

We shall now show pretty clearly that even if all this supposed darkness was greater, still it did not exceed what was to be found at the same period in good Protestant countries, where no Papist would be admitted, and no Inquisition was to be found. Our conclusion then will be that if the coexistence of Popery and ignorance proves that Papists are enemies to improvement, *pari ratione*, the coexistence of Protestantism and ignorance will prove that Protestants are enemies to improvement, and we shall stand, as we always wish, upon the very same ground with our neighbours. We have seen what South America was in 1678. Now let us look to North America in 1671, and if the reviewer pleases we shall gratify the most ravenous appetite upon the subject.

(From the Richmond Enquirer.)

"PROGRESS OF THE PRESS.

"We live in an eventful era, which demands from all who are now existing every information, however trivial it may be of the habits and customs of those with whom we were when our national faculties first began to dawn. Being now in my 64th year, and contrasting the *now* with the *past*, wonder and astonishment overwhelm me, and terms sufficiently strong are wanting to give to my mind its feelings. Casting my eye over the first volume of Ramsay's History of the United States, page 264, I find that in the year 1671, sixty-four years after the settlement of Virginia, Sir William Berkeley, its governor, says,—'I thank God there are no free schools, nor printing presses, and I hope we shall not have them these one hundred years. God keep us from both.' Thus he wrote to the British ministry. The same spirit and disposition operates on his successors; every effort was doubtless used by them to keep us as much as possible in barbaric ignorance. 'But somehow or other it happened that while these were their views, to save appearances, and that in the historic page it might be seen they did pay some regard to the cultivation of science, and improvement of the minds of those thus subjected to their control, in the reign of William and Mary, a college in the then capital of Virginia, (Williamsburg,) was founded, and with requisite funds endowed. There the youth of the day were educated: those who were not able to pay for tuition, &c., received it (not exceeding a specified number,) gratuitously. Tradition informs me that my

* Colombia; being a Geographical, Statistical, Agricultural, Commercial, Political, Account of that Country. Vol. I. p. 96.

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maternal grandfather was in the number of those who shared in its benevolence, and with difficulty extricated himself from its walls when, more than one hundred years ago, it was burnt down. Having received a liberal education, in conjunction with others of his compeers, and sorely lamenting the deprivations laboured under with respect to the diffusion of sentiment and communication of passing events, by and through the medium of the press, which was absolutely (I am told, and from what is before stated is certain) prohibited, he, my grandfather, associated with three or four others of the Williamsburg citizens, undertook, and for a considerable time penned a weekly paper, giving copies of it to the city and its neighbourhood, filled with all the foreign and domestic intelligence they collected. But the work was an arduous one—and the demand far exceeding their means or power to supply, they contrived to smuggle a printer and his press into the city, and in spite of the governmental interdict, issued a weekly paper. Such, sirs, and I do believe I am correct in saying, was the origin of printing in the State of Virginia."

North America became independent and broke through the restraints, and went forward in the march of improvement. South America has become independent, and the reviewer informs us, p. 196. "Presses have been multiplied since the revolution, and newspapers published in every part of the continent." P. 195, "It redounds much to the honour of this new republic, and is at the same time a test of the wisdom of its rulers, and a pledge of the success of the government, that a very marked attention has been given to the subject (*education*), as well in the constitution and laws, as in the practical administration of the rulers to whom the political concerns of the country have been thus far entrusted." A large portion of them are Roman Catholic clergymen, many of them ignorant curas with hard hearts. "Primary schools are organizing in every province, city, and village, as fast as the means and condition of the people will permit." They are still "under the control of bishops and other ecclesiastics."

At the other side of the Atlantic, about the same period, we may judge in what estimation profane learning was held in a free country, not Catholic, by the fact of its being considered too mean an occupation for a wise assembly that could put the following notes upon the Bible. We only take the first two which we fall upon accidentally: upon Gen. xvii. 9.

"Two kids seem to be too much for a dish of meat for an old man, but out of both, they might take the choicest parts, to make it dainty; and the juice of the rest might serve for sauce, or for the rest of the family, which was not small."

"He sent forth soldiers to kill the children, under two years of age, without any legal trial." —*Matt.* ii. 16.

Nor can we have a very exalted opinion of the literary acquirements of a colony which enacted "That no woman shall kiss her child on a sabbath or fast day." It is painful to us to make these allusions, but it is also very painful to us to have ourselves and our brethren in the faith, and our whole religious system misrepresented and aspersed, and made the topic for aged garrulity, for senatorial declamation, the target of literature, the easy theme for the vapid spouting of every school commencement, and the associated object of folly and crime in the imagination of every infant, just escaped from the nursery. We shall never complain of a true statement of facts, but we shall call upon those who misrepresent us to prove the correctness of their assertions, and we shall give our reasons for ours. Truth will thus be elicited. We now believe that we have shown imperfectly, for we desired to be brief: That our religion was not the cause of ignorance in South America, for the same cause that restrained learning there, restrained it at the same time in other places in which our religion was not permitted to exist. The reviewer himself proves it too, in p. 198.

"This jealousy of the Spanish government continued till the last, and the severity of its absurd attempts to stop the progress of intelligence seemed to be redoubled, as time and circumstances drew things to a crisis, which gave cause for new alarms. As late as the year 1804, a public vessel was despatched from Havana to Baltimore, with orders to take home fifteen or twenty young men, natives of South America, who were at that time students in the Catholic seminary of St. Mary's in Baltimore.* Such was the fear that the seeds of liberal principles might gain admittance into a soil, which it had been the chief purpose of a great nation for many ages to disgrace with servitude, and desolate with plunder."

He says that encouragement is now given; and that encouragement is evidently given by Roman Catholics. It is therefore clear that our religion was not the cause of the want of knowledge.

"Such are the perversions countenanced under the religious system, which we have been describing. The laws and written rules of the church, it is quite certain, encouraged no such wicked abuses; but neither did they prevent them. Here was the root of the evil, and it was deep and strong. The establishment was majestic and imposing in its outward forms; its machinery was perfect, so far as it gave universal patronage to the king, and filled his purse with

* Brackenridge's Voyage to South America, vol. i. p. 47.

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gold. This end it attained, and this was all. The spiritual guides of the people were the worst enemies to their peace and happiness; precept and example conspired to scatter poison in the hearts of the unsuspecting, to corrupt the springs of good principle, and extinguish the light of moral truth. It would be uncharitable to suppose that there were not good men in the South American church in the days of its worst condition; nay, history records the names of those, who have been bright ornaments of their profession and of human nature. But this fact only adds darkness to the system itself, which raised such a torrent of iniquity, that wise and virtuous bishops, armed with all the power of the church, could not check nor turn it aside. Let the practical influence of this system, and its positive effects on the mind, moral sense, affections, social feelings, and religious principles of the people, be considered, and we doubt whether a spectacle more gloomy could be presented to the philanthropist, or the friend of human improvement and happiness."

Good God! did the reviewer think when he penned this atrocious libel, that the members of the Roman Catholic church had no feelings? The miserable exception which he makes in favour of *a few good men*, is the most insulting passage of the entire. Our whole system is so bad that no efforts of good men can cure it. Its practical influence was in full vigour in Paraguay; and we ask, did that happy, and civilized, and thriving nation of reclaimed children of nature present a gloomy spectacle to the philanthropist, or to the friend of human improvement and happiness? No, sir, we defy the world to exhibit to us a more cheering spectacle of improvement and happiness, until the philosophist minister of a European despot, feared that the love of moderate and well-regulated and parental government, which cherished virtue, and allured from vice, would become contagious; and with his calumnious breath poisoned the minds of the rulers of the earth against the authors of that improvement; whilst he rudely trampled on the liberties and the comforts of a happy race, he congregated a band of infidels, and formed a conspiracy which was but too successful against such improvement in time to come.

So far from there being only *a few good men* in the mass of ecclesiastical corruption in South America—there were a few corrupt, as must always be expected, amidst a host of good men. Are the present clergymen the degraded beings which your charitable hand depicts? The republics will contradict the supposition. Whither then have those bad men, those monsters of iniquity gone? Whence have their successors come? Sir, you have been misinformed; we request you will be more cautious in taking the assertions of our enemies in future. We respect you, and would not willingly believe that you would intentionally misrepresent us.

We also desire to see a close and harmonious bond of union between our republics and those in the South. The misrepresentation of their religion, to which they are strongly attached; the ridicule of practices which they love, is not the way to win their confidence. This over-zealous abuse of our religion did much to protract the struggle of our own revolution. When the late Archbishop Carroll was engaged by General Washington to induce the Canadian clergy to join in the revolutionary struggle, we understand his mission totally failed from the lavish abuse of popery in which the old colonies had indulged. The Canadians pointed out the several documents, from New England to Georgia, in which the British king, was charged with an intention of reducing the colonies to slavery, by various modes, amongst which a prominent one was recognising the rights of the Roman Catholics and favouring popery and despotism in Canada. "Now," said the Canadians, "we believe as you do, our religion to have been established by Jesus Christ, and that those good men and their forefathers, in leaving our body, made an innovation upon the unchangeable institutions of our Saviour. They complain of the King of England as guilty of tyranny for observing the treaty which secures to us our religion, and which he appears disposed to observe. If it be tyranny to permit us to follow the dictates of our consciences, and that those gentlemen wish to destroy tyranny, we must give up our religion in joining their union; we prefer, sir, to abide under the government of a king who is complained of for his justice to us, than to trust to the friendship of men who tell us that we are idolaters and slaves, and dolts, and yet invite us to aid them against him whom they have abused for protecting us in our rights: neither do we forget the zeal which they manifested in hunting and shooting Father Rasles and others of our missionaries upon their borders." Thus was the aid of Canada lost by the abuse of popery; and Canada was not one whit more sensibly jealous of the honour of her religion than is South America. We love to cultivate their friendship, and we would therefore advise, for the sake of truth, of decorum, and of policy, that our common religion should not be misrepresented and insulted by our conspicuous writers.

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LETTERS TO THE VERY REV. MESSRS. MEYLER AND YORE, VV. G., OF DUBLIN,

WITH A COMMUNICATION TO THE FRENCH AND IRISH PROPAGATION SOCIETIES.

[The letters to Messrs. Meyler and Yore, as the reader will at once perceive, were written on occasion of the establishment in Ireland of a Branch of the well-known "Society for the Propagation of the Faith;" and merely serve as an introduction to the document which follows them. This, as the reader will see from the second letter, was prepared at Rome in 1836, while the author was residing there, upon the affairs of his Haytian Mission; and was sent to the Central Council of Lyons, at whose request it was drawn up, and by whom it was translated, and first published in the French language, in the "*Annales Du Prop. de la Foi.*" The whole was published in the "United States Catholic Miscellany," Vol. XVIII., for 1839.]

LETTER I.

To the Very Rev. Messieurs Meyler and Yore, VV. G., Dublin.

GENTLEMEN:—I perceive with great satisfaction, that you have commenced in Ireland, the establishment of a society for missions, either as a branch of the excellent society created some years since in France, "for the Propagation of the Faith," or upon the same principle. It matters little which plan you may adopt.

I have long desired to see Ireland do something of the kind, and had made some efforts to procure the co-operation of that ancient and constant witness for the faith in exertions called for by the present circumstances of the world. I found, however, that as often as I strove to exert myself, I was baffled by causes not under my control; and had come to the resolution, that I would quietly confine myself to the cultivation of the extensive field in which I had been placed to labour, without occupying myself with any object beyond its limits. I was led to this determination by a variety of motives, amongst which one of the most powerful was, the belief that repeated failures of those efforts which I had begun to make, indicated the will of God that I should desist.

I had for some time acted upon this resolution, when I learned that Ireland was about to join in the generous work of aiding the remote missions. And I felt confirmed in the opinion, that he who from the stones can raise up children to Abraham, did not need the efforts of any individual to accomplish his own wise purposes in his own good time, by the means of his own selection. I was thus strengthened in my resolution, and felt satisfied that my agency, as regarded Ireland, was unnecessary, and might be injurious; and that it was my duty to confine myself to that charge which had been specially assigned to me.

I some time afterwards received papers containing your address, from the "Central Committee for the Propagation of the Faith," established in Dublin, September 18th, 1838, and perceived that you thought my testimony valuable to show the necessity of forming and of upholding your society; it struck me, that by furnishing you with more specific details, I might be able, without departing from my resolution, to aid in the promotion of your most useful enterprise, and be a witness to our brethren in Ireland of the immense benefit conferred upon religion by the societies in France and in Germany, which have preceded yours in this zealous manifestation of charity.

For this purpose I shall, in the first instance, send you the original of a communication which I made to the Central Council at Lyons, from Rome, in the month of September, 1836, and which has been substantially translated into French under their direction, and published in No. lvii. of the Annales, last March. I shall in preparing this for the press, as I shall publish it in the United States Catholic Miscellany, make such amendments as it may seem to me to require, and should you deem it useful to have it republished in Ireland, you will thus have it ready to your hand.

I intend following up the publication of this document by that of one or two others, and giving you further details, so that you may thus have before you my views as fully as I can give them: and should you and your associates concur in them, as I trust you may, the double object may be attained, viz.,—Ireland engaged in the great work of missions, in that way which I thought would be most useful, and necessary; and I be left to continue my exertions here, confident that a work to which I once de-

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sired to devote myself will be better carried on by those better qualified for the task.

Already have the French and the German societies deserved well of the church, of religion and of civilization; already have they merited and received the gratitude and prayers of millions aided by them to walk in the paths of light and of salvation; but much still remains to be done. May you go on emulating their benevolence, their zeal, their religion, and their charity.—Should I be able to give but one suggestion that would contribute to this end, I shall not have written in vain. Should you not find in what I transmit anything worth your attention, I shall still have satisfied my own conscience, and shall feel that however valueless my observations may be, I shall have performed what I conceive to be my duty, to those missions in which I am engaged, to those friends from whom I am separated, and to that church to which I have the happiness to belong.

It is a noble contest in which we are engaged. The same for which the Apostles of the Saviour were enlisted when they were commissioned by him to go forth and to subdue the world to the obedience of the Gospel, not by the arms of human power, but by the sword of the Spirit, which is the word of God. Fourteen centuries have passed away, since Ireland gave her allegiance to this Prince of Peace! How nobly has she adhered to it, through good and through evil report! With what a "desperate fidelity" has she adhered to the banner of the cross! And, at times, how painful was its burden!—Yet taking it up, she calmly walked, bearing it in the footsteps of him, who for our sake preceded in the rugged way of affliction. Her altars have been desecrated, her churches profaned, her children made hewers of wood and drawers of water!—They have been scattered in ignominy to the four winds of heaven, because they would not desert that way in which their Apostles led their fathers. But the sack of her afflictions has been cut away, she again is decorated with the garments of joy, and she desires to send to the wanderers who have gone forth from her shores, and to their descendants and to the stranger, a share of the blessings of which she so largely participates herself.

You have the high honour and the glorious privilege of being made the chief agents in this heavenly task. Go on then with courage and energy. You must be sustained. They that are far off will bless you, generations that are yet to rise will repeat your name; the peace of religious consolation shall enrich your souls with a serenity above the wealth of the world, and through the merits of your Saviour, you and they who unite with you will receive an hundred fold in blessings upon earth, and in eternity, the joys of Heaven.

Behold the manner in which regenerated France arises! See how religion triumphs within her borders, how piety takes possession of her people, how she is respected by the nations of the earth. May it not in the order of God's providence be a result of the prayers of those who through her means arise from the darkness in which they were involved!

So may you emulate her example and be crowned with like blessings, is the fervent prayer, dear and very reverend gentlemen, of

Your affectionate friend in Christ,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., Jan. 23d, 1839.

LETTER II.

To the Very Reverend Messieurs Meyler and Yore, VV. G., Dublin.

GENTLEMEN:—The communication which I now send to you was written by me in Rome, in the year 1836, whilst I was waiting, in that city, for the decision of the congregation for extraordinary ecclesiastical affairs, and the direction of his holiness, respecting some propositions of which I was the bearer from the Haytian government.

On my way thither, I stayed for a very short time in Lyons, where I had the happiness to meet several esteemed friends, who were actively engaged in procuring funds for the foreign missions, and with whom I had several previous interviews in the years 1832, 1833, and 1834. On this last occasion, the question was put to me, whether the Catholic Church really gained by the emigration to the United States, from the Catholic countries in Europe.

It was not the first time that my attention was, from the same quarter, drawn to this important question; and one of the leading and most active members of the central council had conversed with me upon the subject, on two or three previous occasions.

The doubt arose from the remarks made by a clergyman in Switzerland, I believe in Friburg, I think a Mr. O'Mahony, not Irish, but evidently of Irish descent, who contended strenuously, that, so far from gaining in the United States any solid accession to her strength, the church lost many millions by the emigration.

In those conversations, we agreed that

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there was no question but that there was an actual increase of Catholics, and of religious establishments; but we could not come to a satisfactory conclusion, as to whether there was a gain or a loss, upon a full view of all the results of emigration.

I stated in one of those early conversations, and afterwards made the same observation in writing, that in my own diocess, which comprises the two Carolinas and Georgia, with then nearly two millions of inhabitants, I did not think that there were more than about 10,000 Roman Catholics, scattered over an area larger than France; and that I was of opinion, that from 30,000 to 50,000 of the then population, who were not Catholics, were the descendants of Catholic progenitors, who, together with their descendants, were lost to the church, because of the absence of any institution which could preserve them in the faith.

On this latter occasion, I had examined the subject more closely, and I repeated my opinion respecting my own diocess, and added, that I believed it was not singular in this respect. The conversation naturally led to inquire for the cause and the remedy. On the eve of my departure, the secretary put into my hands a sealed letter, which he told me I could open at my leisure and answer at my convenience.

Next morning, by daybreak, I was on board a steamboat descending the Rhone with great rapidity, on my way to Avignon. Surveying my companions, I found myself in a situation by no means novel to me: knowing no person, and known by no one, though in the midst of a crowd. I took out my letter, and read it: I found it to contain a request, that I would give the council such information as I could, upon the important subject to which they had drawn my attention; and it placed the whole subject upon which information was sought under the extent of four questions.

I made very little delay at Avignon, where I arrived that evening. It had no novelty for me, as I had been twice before within its walls, and walked through its environs. I left it soon after sunset, and next day I found myself in old quarters which I had previously occupied in Marseilles. Previous to leaving this port for Leghorn, I wrote a short note to Lyons, promising that, at the first leisure moment, I would take up the subject; and the communication which I now send you, is copied by me from notes which I made in Rome, and which I somewhat enlarged, and sent from that city to Lyons, where it was translated and published in French.

In the present document, I take the liberty of making a few corrections and explanations. My object in sending it to you, is in the hope that it may more deeply interest your society in our behalf.

I remain, very reverend
And dear gentlemen,
Your affectionate friend in Christ,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., January 31st, 1839.

COMMUNICATION TO THE CENTRAL COUNCIL FOR THE PROPAGATION OF THE FAITH, AT LYONS.

Sent from Rome, in the month of September, 1836.

SECTION I.

IN the letter which I received from your secretary, previously to my leaving Lyons, on the 19th of August, you gave four questions to which you desired my answer; and you made some observations, in whose truth, justice, and appositeness, I fully concur.

I sent you from Marseilles a hasty and imperfect note, written under the disadvantage of my efforts to get hither with what speed I could. The important topics of your letter have, since I read it, occupied a good share of my attention; and I avail myself of the first moments that I can devote to that duty, to give, as you requested, my views upon the subject.

Your questions require, in some instances, precise details which I could not undertake to give you from this place, where the documents from which they may be furnished are not within my reach; nor do I think that I could anywhere procure exact returns, such as you desire. That, however, is matter for future consideration. From the tenor of your remarks, however, I am under the impression that you have general notions sufficiently exact to serve all your purposes.

I am led, after much reflection, to enter much more at large into the subject, than was my original intention; and in the details which I give, and the views that I take, several friends for whom I have the highest esteem may not fully concur; but I consider it to be my duty to write as I think, and should I make any erroneous statement, to give the opportunity for its correction; and if my views be erroneous, I beg of my friends to set me right.

I have been long under the impression, that not only in Europe, but even in the United States, very delusive fancies have been entertained of the progress of the Catholic Church in our Union, and even many mistakes as to the means most conducive to its propagation. I have no doubt upon

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my mind that, within fifty years, millions have been lost to the Catholic Church in the United States, nor do I believe that the fact has been sufficiently brought into notice, nor the proper remedies as yet applied to correct this evil. This is not the time, nor this the place to state what efforts have been made to draw attention to the mischief, and to what was thought to be a remedy; nor is it intended to insinuate by this, that there was in any quarter a want of the zeal and the devotion to religion on the part of any persons concerned, though they may differ in their views.

To any one who for a moment calmly considers the statements of your letter, nothing can be more plain than that, instead of an increase of the members naturally belonging to the Catholic Church in the United States, there has been actually a serious loss.

The question is not whether the number of Catholics in the country has actually increased; because to answer this you have only to look at the cities, the towns, and everywhere you have the strongest and most irrefragable evidence of accession of numbers, in thousands who rise up before you. There can be no doubt of the multiplication of missions, and of priests, of the erection of churches, of the opening of colleges, of the creation of monasteries, of the amelioration of schools, of the establishing of printing presses, and of the dissemination of books, however injudiciously the publishers may have acted in several instances. I do not then mean to say that the number of Catholics is this day less than it was fifty years ago, nor as small as it was five years since; but I do assert that the loss of numbers to the Catholic Church has been exceedingly great, when we take into account the Catholic population at the time of the American Revolution, the acquisition of territory previously occupied by Catholics, the arrivals of Catholic emigrants, and the conversions to the Catholic religion.

I submit the following rough estimate as calculated to give a notion of this loss:

Fifty years ago the population of the United States was three millions: to-day it is fifteen millions. I shall suppose the natural increase of the original three to give us seven millions of our present number; this will leave us eight millions of emigrants and their descendants, together with those obtained by the acquisition of Louisiana and Florida.

On the population acquired by immigration and by cession, we may estimate at least one-half to have been Catholics: and supposing the children to have adhered to the religion of their parents, if there were no loss we should have at least four millions of Catholics from these sources, without regarding the portion which was Catholic fifty years ago, and its natural increase and the many converts and their descendants. Yet there are many who this day are well informed upon the subject of our churches, who doubt if we have one million of Catholics. Four years since my estimate was little more than half a million. Upon my first arrival in the United States, in 1820, I saw in a public document, coming from a respectable source, the estimate to be 100,000, and this favourable, and from a gentleman by no means unfriendly. I have since then made more close inquiries, taken more special notice of details, and received better information, and I think the estimate may be safely fixed at 1,200,000. This is indeed a plain and simple view, and, as you justly remarked, coincides pretty accurately in the result to which it would lead, with the estimate that I formerly gave of the number of descendants of Catholics, who in the diocess of Charleston are found in the various sects. If I say, upon the foregoing data, that we ought, if there were no loss, to have five millions of Catholics, and that we have less than one million and a quarter, there must have been a loss of three millions and three quarters at least; and the persons so lost are found amongst the various sects to the amount of thrice the number of the Catholic population of the whole country.

I estimate the Catholics of my diocess at less than 12,000, and the descendants of Catholics in the various sects at about 38,000 or 40,000. The coincidence of the results creates a strong probability, it is indeed presumptive evidence, of the correctness of each estimate. And we may unhesitatingly assert, that the Catholic Church has, within the last fifty years, lost millions of members in the United States.

Upon every view which I can take of this subject, and during several years I have endeavoured to examine it very closely, I have been led, in a variety of places at several epochs, to special details which have been partial causes of this great and long-existing evil; but however their several causes may seem to differ, and under what peculiar circumstances soever they may have arisen, I consider they may generally be reduced to the one great head, viz.: The absence of a clergy sufficiently numerous and properly qualified for the missions of the United States.

Before I shall proceed farther, I shall try to unmask one of the most fatal errors that I have observed on this subject.

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The mind of Europe has been led to undervalue the nature of the American institutions, and to look upon the society of the United States as considerably under the standard of that in Europe. So far as religion, and especially the ministry, is concerned, this mistake has not seldom led to very pernicious results. Frequently in companies, where upon most other topics I could receive great accessions to my little stock of knowledge, I have been led to doubt whether I heard correctly the very strange questions that were addressed to me respecting our laws, our manners, our society, our institutions, and our habits; I was frequently obliged to avoid enlarging upon the topics, and more than once to evade the questions, upon the very painful conviction that it would be worse than useless to give information to those who were determined not to believe. They could very readily admit all that I chose to say about Indians, huts, lakes, wild beasts, serpents, assaults, murders, and escapes, but it was out of the question that my assertions would be equally well received if I insinuated that anything in legislation, manufactures, literature or the polish of society was comparable to even what was ordinary at this side of the Atlantic.* In fact it would seem as if a century had rolled away, and had left America and Europe in precisely the same relative position as to improvement, as they were when the first European adventurers undertook to stem the torrent of the Mississippi, making a tedious and exhausting effort to overcome, in six months, the obstacles of a voyage which now is little more than an excursion of a few days in a steamboat. The result of this notion was that anything was good enough for America; and the Catholic Church has frequently felt the effects of this mistake. It has more than once happened that men with acquirements and manners scarcely fit for Indians, have been deemed fit for any part of this region of Indians, and were thus inconsiderately sent into the midst of a community at least equally intelligent, and penetrating, and inquiring as any in the world!

The best way to give some correct notions upon the subject of which I treat, will be to give an historical sketch of the Catholic religion in those regions which now form the territory of the United States. That view must, of course, be general, and very rapidly taken, and, for the sake of greater accuracy, it must be divided into several epochs, according to the various changes, whether of government or of other institutions, or circumstances that affected their religious position.

These regions consist of three distinct portions. First, those places which were under Protestant dominion from the time of their discovery until the period of the American Revolution. Secondly, those places which had, up to that period, been chiefly, if not altogether, under the dominion of Catholic powers. And thirdly, that great region to the west of Missouri and the lakes, which was, and in a great measure still is, the wild domain of the Indian, who knows little of either.

SECTION II.

The first portion includes the New England States, viz.: Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut, which form the present diocess of Boston: New York, Delaware, New Jersey, Pennsylvania, Ohio, Kentucky, Tennessee, Maryland, Virginia, the two Carolinas, Georgia, and the greater portion of Alabama. The English and the Dutch were the original settlers of most of those regions; Great Britain may be regarded as the possessor from their colonial formation, the Dutch having held possession of New York and New Jersey only during a short period; and the principle of religious administration, as respected Catholics, having been the same under each.

The second portion embraces Indiana, Illinois, Missouri, Arkansas, part of Michigan, (since this was written, Wisconsin and Iowa have been established,) Louisiana, Mississippi, Florida, and a portion of Alabama. Of this extensive territory, France and Spain had possession, whether conjointly or successively. It is unnecessary, for my present purpose, to notice the immense range of territory which stretches off westward from these states, and which forms the third division.

Before proceeding to notice the actual state of this second portion, at the several periods when its various regions passed away from the dominion of the Catholic powers, I deem it necessary to make a short statement of what I have been informed was, and in many instances continues to be, the system of France and of Spain respecting religion in those colonies. I cannot vouch for the truth of my information, and, should I have been misinformed, I shall feel very happy at having my misstatements corrected.

The policy of France was, not to permit

* The reader will recollect that this was written in Italy.

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the establishment of a bishop in her colonies, but to procure from the Holy See, that a priest should be appointed prefect apostolic, with quasi-episcopal power and detached jurisdiction, to superintend the other clergy and to administer the sacrament of confirmation. I know, from my own observation, that such is the mode of administration in most of her colonies (Algiers is an exception since this document was drawn up); and to various inquiries that I made for the reason of this policy, I was told that it was adopted in order not to embarrass the governor, by creating so high a dignitary as a bishop: and who should necessarily receive the great attention which such officers are known to pay to prelates; and not to expose bishops to the indignity that might be the consequence of any neglect of the superior colonial officers, should it be possible that any of them could so far forget what was due to religion, as to be wanting in [due] civility to the bishop. It is not my business to canvass the value of the reason alleged; but I feel quite at liberty to observe that the natural consequence of this palpable departure from the polity established by our Saviour, and acted upon by the Apostles, has generally been the destruction of discipline amongst at least the secular clergy who were affected thereby: and if we are to believe one-fourth of what is generally credited respecting that discipline in the French colonies previous to 1790, this statement would be fully sustained.

I am here called upon to draw a contrast between what is known to have been the state of the Canadian colony, in which there was a bishop established at Quebec, and those places which were administered by prefects apostolic. In Canada, religion was respectably sustained, the faith preserved, discipline flourished: a clergy was maintained and perpetuated; and an edifying body of priests and people continued firmly attached to their ancient institutions, and virtuously fulfilling their duties, even under a government hostile to their faith, and using its best efforts to undermine their religion.

Justice also obliges me to testify, that from what I have seen and learned in Guadaloupe, during a short visit to that island in 1833, I found that, notwithstanding the defects of the system, the excellent prefect and his clergy were meritoriously regular and zealous, and that religion had proper respect from the sensible and judicious governor of that colony.

Not only is this system calculated to do a serious injury to discipline, but in some colonies the priests are at so great a distance from their superior, as to be seldom, if ever under his supervision. In many instances, a great portion of the colonists are persons, who not being able conveniently to remain in the mother country, repair to those distant settlements to escape inconvenience, or to retrieve their fortune. They are not, then, the most healthy portion of the moral population; and amongst such a people, it is no ready task for a clergyman, under the most favourable circumstances, to make great progress in the work of reformation, or to preserve himself unstained.

Spain had not that semblance of respect for the episcopal character, which would prevent her having bishops established in her colonies: but they were necessarily few, and very distant; and though numbers of them are said to have been excellent men, yet it was believed that several others were persons whom the government that presented them did not like to set aside from promotion, but did not wish to see wearing mitres in Europe. It is also said that in many instances, in the French as in the Spanish colonies, priests that would not be tolerated in the mother country, forced their way into places for which they were by no means qualified. Thus, in those regions where the clergy wanted most rigid superintendence, there was the least efficient discipline. This may perhaps account for the situation in which the churches of Louisiana and Florida were at the period of their cession to the United States. To my own knowledge, there was in Florida but one single efficient priest, who, not liking the change, retired to Cuba, and subsequently to Ireland, of which he was a native. I have heard nearly a similar account of Louisiana; so that when they were transferred to the United States, those regions contained an uninstructed and neglected population professing the Catholic religion, without Catholic customs or religious knowledge, nearly bereft of a Catholic clergy. A large portion of this mass consisted of negro slaves.

In no country where slavery exists was there, I believe, a better system of legal provisions for the religious and moral cultivation of this class, than in the Spanish possessions: nor do I think there could be, generally speaking, a better mode devised for preventing some of the worst consequences to morality and religion, which are unfortunately almost inseparable from slavery in the colonies, than that which Spain had adopted, perhaps devised. This, however, was for many years a dead letter in the places of which I write, whilst under the latter days of Spanish dominion, and under the occasional possession by France,

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neither the legal provisions, nor the moral system, nor any substitute for either was in existence. These considerations, taken together with the former remarks, will enable the readers of this communication to form some opinion of what sort of Catholic population was acquired to the United States by the cession of Louisiana and of Florida; and no sooner did they become portions of this country, than all religious denominations and preachers of all opinions poured rapidly into those places, where larger bodies of untouched land offered the hope of greater returns for their industry.

Long previous to the American Revolution, whilst Britain yet held our states as colonies, Canada was ceded by capitulation to the crown of England. At that period, the Catholic missionaries had their congregations upon the Wabash, the Illinois, and other places which form the states of Michigan, Indiana, and Illinois. The red man, induced to leave the superstition and the idolatry of his fathers, worshipped God in spirit and in truth, partaking of the sacraments of our Redeemer with full faith, humble confidence, and tender piety; but, soon after this transfer was effected, the missionary was obstructed, and the children of the forest, yet tenacious of their creed, wept by the side of the father of rivers, and mingled their lamentations with the wailings of the wind, upon witnessing the desolation of their rude but venerated altars. The axe of the backwoodsman has felled the forest, the bounding deer has migrated towards the setting sun, the ploughshare has furrowed the surface of the land, cities have arisen, the power of steam has overcome the resistance of the waters, the bones of the ancient worshippers have mouldered into dust, but still Kaskaskia and many a similar spot exhibit to us the ruins of those early Christian schools, where the Ottawa and the Illinois, and the Pottowattomie exchanged their wampum, and smoked their calumet and buried their hatchet; whilst their eyes shed unwonted tears at the recital of the sorrows of the Son of God. England became the mistress of these lands, [and] caused the Christian sacrifice to be taken away. The Revolution soon followed; and the American eagle, whilst he rose in the vigour of youth and the joy of victory, beheld no Catholic worship in the regions which oppression, strife, and war had now made desolate.

The mighty wilderness was left to become the habitation of successive emigrants from the East, who have produced the mighty changes to which I have alluded.

SECTION III.

I HAVE now to draw your attention to those places, which, from their original settlement, were under Protestant domination. They are to be considered as seriously differing from each other in a religious point of view. New England was settled, it is true, under English authority and by English Protestants, but they were not of the English Church; they were the Puritans, who complained that "the Reformation," as it is fashionable amongst some to call the great religious defection of the 16th century, was by no means sufficiently perfect in England; they complained that several doctrines that were anti-scriptural were retained in the established Protestant religion of that country, and that very many of its usages and ceremonies were superstitious, anti-christian and idolatrous. They were driven from England by Protestant persecution, after a sojourn in Holland, where they looked for more congenial opinions; they felt, even there, great disappointments, and then set out for this new world, to colonize a region which they had procured from the British crown, and for the occupation of which they made some settlement with the Indians.

The Puritans were inimical to the Church of England, and they would not permit those who differed from them in religious opinions to remain in their colony; and as differences of this description, necessarily must arise amongst all those who adopt the principle of individual inalienable right to the interpretation of the Holy Scriptures, they had in process of time, their differences, their persecutions and separations into various colonies, but all agreed in a common determination of not tolerating Catholics. We may say the same of their Dutch neighbours, who settled in New Amsterdam, now called New York, and in a part of New Jersey, and when the English succeeded the Dutch in their dominion over those regions, they unflinchingly adhered to the same principle.

Virginia was a common name given at that period to the entire region which comprises not only that state, but also, the Carolinas and the entire of the then unknown wilderness stretching away to the west, and going south to the unascertained boundaries of what was called Florida. In this region, the settlers professed the religion of the English Protestant established Church, and embodied in their infancy, in their code, all the ferocious laws of England against the Catholics. A spirit of mutual animosity and a practice of mutual perse-

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cution, caused New England and Virginia, though colonized from the same country, to cherish animosity and rancorous dislike to each other.

Meantime, a small body of the English Catholics, with whom a few Irish of the same religion associated. accompanied Lord Baltimore, who, because he was a Catholic, was obliged to leave his country. They settled in Maryland, upon lands of which he had obtained a grant, and for governing the colony of which he had a charter. This little Catholic society made perfect religious liberty for every Christian the basis of their legislation, and were the first who gave the example of establishing religious freedom at this side of the Atlantic. After various efforts of the Virginians for their ruin or expulsion, they were permitted to remain in peace. In a short time the colony became prosperous, and the Virginian dissenter, and the New England Protestant Episcopalian, flying from the persecution with which each worried the other, were hospitably received by the Marylander, and not only protected in their civil rights, but admitted to a full participation of political power; and it was thus that Maryland, Catholic Maryland at that time, led the way to the temple of religious liberty and to the concord of brethren.

Very soon after this, a number of Quakers accompanied William Penn to the colony which he undertook to establish between Maryland and New Jersey. On this new settlement, there was no law to punish any man for his religious opinions; but it was not till after a considerable lapse of time that any Catholic had settled there.

The revolution which took place in England, in 1641, having placed the Presbyterians and other Calvinists in power, its influence extended to the colonies: and within less than a quarter of a century from the period of their arrival, the Catholics of Maryland found themselves deprived of their civil, religious and political rights, and overwhelmed by a band of strangers who, flying from each others' cruelty, were received into this asylum of Christian charity, and they now united to oppress and to persecute the Catholics who had given them a shelter and a home. The laws which were passed subsequently in England against Catholics under Charles the Second, and by which they were stripped of most of the remnant which they held after the tyrannical persecution of the cruel Elizabeth, and of the cold-blooded, hypocritical pedant James I., as well as the robberies of the succeeding period, now were made of force in the colonies, and vigorously carried into effect. Nor did the new legislators of Maryland deem the subsequent barbarous additions made under the heartless Anne sufficient: they devised and introduced others, as if to show their greater ingenuity in adding the last affliction which could perfect the malice of the British enactments.

Probably it will not be amiss, here, to advert a little to the character of one of those laws which, to the ordinary reader. would not otherwise appear in their true position, and which, by reason of unfortunate prejudices, are not duly appreciated by all who peruse them. They appear to be laws merely relating to *Irish servants* arriving in the colony; their true nature can be known only by looking into the history of Ireland itself, that we may there learn who these *servants* were; nor will this be without an important bearing upon what regards, this day, the missions of the United States, and perhaps of many other distant regions.

It is notorious, that when in the excess of his rage, and filled with the spirit of revenge, Henry VIII. of England, compelled his Parliaments to legalize his innovations in religion, very little was effected in Ireland. Numbers of old and settled families in such parts of that country as acknowledged its subjection to the English crown were firmly attached to their religion. They, together with the whole body of the Irish that yet preserved their independence, continued steadfast adherents to the Catholic Church. Upon the accession of Elizabeth, her interest, as well as her pride,.forced her to separate England from the Holy See, (Rome could not acknowledge the right of heirship in the issue of a notorious adultery.) Her father's imperious spirit dwelt fully and powerfully in her soul, and her Parliaments were her crouching slaves. Secure of England, she sought to complete the conquest of Ireland, not only by reducing to her obedience that portion which was not as yet under her dominion, but also by forcing her newly made religion upon all the inhabitants. The descendants of the ancient Irish and English settlers were alike ordered to lay aside the religion of their fathers, and to practise that which the Queen had framed. Many of the Irish chieftains were unwilling to bend their necks to the yoke, and the whole body of the people refused to give up their faith, or to forsake their altars. The history of her partial success is an account of perfidy, of famine, of blood, and of wo. Confiscation of their lands, loss of their titles, beggary, exile or death were the portion allotted to those who remained faithful to their God. The tragedies enacted by her cruel officers scarcely find a parallel. Yet

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did not her power extend as far as her malevolence.

James I. succeeded to her throne, and without the abilities of Elizabeth, he pursued the path which she had opened. For Ireland he was a disastrous despot. Whole provinces were made desolate and colonies of Presbyterians were introduced from Scotland to occupy those lands from which the Irish Catholics had been swept with a besom of desolation. They are the "Scotch Irish." Charles I. succeeded to James, and with increased ruin to the desolated land. Europe was appalled at the horrors that had been perpetrated, and looked with execration on the authors of the calamities of this devoted country. The oppressors, in order to create some semblance of excuse, added calumny to their other crimes, and that the world might be induced to imagine that there was some justifying ground for their cruelty, the Irish nation was said to be stupid, cruel, barbarous, ignorant and intractable: every bad quality was imputed to them, merely because they were faithful to their religion, and tenacious of their property and their rights. It is indeed true that it could soon be truly said that they were poor, because they were plundered; and they were then called a beggarly rabble. Still the fastnesses of the country offered an asylum to a few of the ancient princes of the land and their impoverished adherents, who were thus forced into the semblance of outlawed brigands.

England had lost her hierarchy. Ireland saw her cathedrals and her other church property in the hands of men intruded by force, and protected by armies of mercenaries, who vituperated and blasphemed that religion for whose service those cathedrals were erected and that property consecrated. Though she could not save the temporalities of her prelates from the grasp of their persecutors, nor always protect themselves from assassination or prison, yet she preserved their succession. It is well known that many suffered martyrdom and multitudes made glorious confessions of their faith; but their fidelity to heaven was made treason to the government. "*This man is no friend to Cæsar;*" and the Catholic clergy were from that day to the present denounced by the sycophants of their oppressors, and by their dupes and their tools, as agitators and conspirators, plotting and exciting the people to sedition.

Cromwell sprung from the scaffold of the unfortunate persecutor, who is ludicrously styled in the English liturgy, *King Charles the Martyr*, to the domination which is called *a protectorate;* and with him fanaticism, hypocrisy, and rapine, enjoyed their day of triumph. His myrmidons overran Ireland, penetrated to almost all its recesses, despoiling most of those who had escaped former plunderers, and stripping even those who, under the Tudor and the Stuart, had been enriched by the robbery of the Catholic. A more mean and voracious horde was never poured upon any other region, than were the soldiers of this revolutionary English army, who now were put into possession of a large bulk of the land of Ireland; and to these the unfortunate Irish Catholics were made hewers of wood and drawers of water. This epoch in Ireland corresponds with that of the plunder of the Catholics of Maryland, by authority of the same power that raised to possession of the wealth of Ireland the gang of unprincipled adventurers who overspread that country. I do not recollect more than two branches of any respectable Irish families that have preserved any of their property by apostacy: these are a younger branch of the O'Neills, in the North, now decorated with an English title, and one sept of the O'Briens, at the South, now known by the title of Thomond, but better known in Irish by the appellation of *Totane*, from the incendiarism and plunder of some monasteries. If there were any others, they were not worthy of notice.

It is human nature, that they who by such a process get into elevated situations should strive to make the world believe that the persons, into whose places they have made their way, were not worthy to hold them. This horde rose into wealth and power upon the principle of abolishing nobility and titles of distinction, as incompatible with the laws of God and the rights of man. Upon the restoration of Charles II. to the British throne, they changed sides in order to secure their possessions; and they made interest at court by the most perfect obsequiousness, and often by the meanest servility, to procure titles of nobility; and in process of time their children became the most conspicuous members of the peerage of Ireland.

The next blow which the Irish Catholics received was, when upon the flight of the unfortunate James II., they capitulated and received William and Mary as their sovereigns, upon the condition of enjoying religious liberty. Previous to this, the troops of William were arrested at the walls of Limerick; the unaided Irish forces rendered the issue of the contest exceedingly doubtful. The English and Dutch commanders were privately instructed to come to any arrangement that would not be greatly mis-

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chievous or dishonourable, and the treaty was drawn up, but the articles were not yet subscribed, when the Catholics were informed that the fleet of France, with abundant aid, was at the mouth of the Shannon; and they were urged to withhold their signatures. They answered, that though their names had not been affixed, their consent had been given, and their honour was engaged.

They trusted to the faith and the honour of a King: they were doomed to feel the scourging of a Parliament chiefly composed of the Cromwellian gentry, and finding that instead of the liberty which they expected upon the faith of their contract, they were doomed to undergo more tyranny than even theretofore, they abandoned themselves to despair; and multitudes of them quitted, with tears of sorrow and of indignation, the land of their fathers.

Many of those exiles for their faith were hospitably received by the Kings of France and of Spain, and by the Catholic powers of Germany. Some of the most ancient and respectable families in Europe have at this day the blood of those men flowing in their veins. Some of those hapless, but voluntary exiles wandered across the Atlantic: they had heard of a Catholic settlement in Maryland, and they knew not the history of that perfidy which destroyed the principles of its establishment. They cherished the hope that upon a foreign shore they would not meet that contumely and that oppression which were their portion at home. Several of those whose ancestors had enjoyed princely domains during centuries, sought to sustain themselves by laborious industry: of these some engaged, as a compensation for their passage, to work in the new country for a stipulated time at a rate lower than the usual wages. They were thus to redeem their debt by a limited servitude, and were called Irish redemptioners, or Irish servants. The laws, now enacted in Ireland, inflicted banishment to a colony and service therein, as a penalty for the crime of practising many duties of the Catholic religion, and the persons transported under those laws were also known as Irish servants.

At the period of which I write negroes were imported from Africa into the British colonies, and a tax was exacted for each slave upon the importer. The legislative body of Maryland of that day stands, I believe, alone and dishonourably conspicuous for having, amongst its other enactments of persecution, sought to degrade still lower the confessor of the faith, by imposing exactly the same tax upon the introduction of an *Irish servant* and the importation of a *negro slave!!!* The Irish Catholic, however, did not find this to be altogether a novelty; for the Protestant Parliament of the land that he left had set exactly the same price upon the head of a friar and the head of a wolf, when it sought the extermination of both! Yet there was this notable difference made by the American law between the Africans and the Irish: the negro slave was subject to no penalty for practising the idolatry of his father's land, while the statute-book was filled with enactments to punish the Irish servant or freeman, if he ventured to worship God with those Christian rites which St. Patrick had peacably established when he preached the doctrine of the Redeemer in the "*Emerald Isle.*" Thus the negro, though a slave, had that religious freedom which was denied to the Irish Catholic, even if he should be free.

Not only, then, did the Irish Catholic find all the laws of persecution, under which he was tortured at home in that land, upon entering which he was degraded and taxed, but even many vexations were superadded.

Without some knowledge of this portion of history, it is impossible to explain, properly, the difficulties which have retarded the progress of the Catholic religion in the United States. The true key to the explanation of many of these difficulties, which bewilder the unobserving, is to be found in a history which is overlooked or undervalued. No one will venture to assert that a generation is unaffected by the position of that which preceded it: and the vast majority of the Catholic population of the United States are descendants of those men, of whose struggles at home for the preservation of their religion and the defence of their country, I have endeavoured to trace an outline. England has, unfortunately, too well succeeded in linking contumely to their name in all her colonies; and though the United States have cast away the yoke under which she held them, many other causes combined to continue against the Irish Catholic, more or less, to the present day, the sneer of the supercilious, the contempt of the conceited, and the dull prosing of those who imagine themselves wise. That which more than a century of fashion has made habitual, is not to be overcome in a year, and to any Irish Catholic who has dwelt in this country during one-fourth of the period of my sojourn, it will be painfully plain that, although the evil is slowly diminishing, its influence is not confined to the American nor to the anti-Catholic. When a race is once degraded, however unjustly, it is a weakness of our nature that, however we may be identified with them upon some

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points, we are desirous of showing that the similitude is not complete. You may be an Irishman but not a Catholic; you may be Catholic but not Irish; it is clear you are not an Irish Catholic in either case!!! But when the great majority of the Catholics of the United States were either Irish or of Irish descent, the force of the prejudice against the Irish Catholic bore against the Catholic religion in the United States: and the influence of this prejudice has been far more mischievous than is generally believed.

SECTION IV.

THUS, they who know anything of American history will perceive, that nothing can be more erroneous than the notion, that, at the period of our revolution, Maryland was a Catholic settlement. The descendants of Lord Baltimore had abandoned their religion, and the great bulk of the population at the period of the Declaration of Independence was Protestant of one denomination or other. A few, and but a very few of the Catholic families had preserved their religion, and a portion of their property: and some of the *Irish servants*, as they were called, adhered to the creed of their fathers; few of them, however, had been able to have recourse to its ministry, and still more few to transmit it to their descendants. The difficulty of obtaining the aid of the ministry was, in most places, exceedingly great, because the clergy being the special objects of the persecuting code, and being very few, they were generally concealed from the zealots who hunted after them from bigotry, and the irreligious who chased them for mere wantonness and sport.

Upon a general principle, which, however correct in theory, yet is frequently found to work mischievously in practice, as these were colonies of Great Britain, they were considered to be in charge of the vicar-apostolic of the London district, when such a prelate had been established, and this dignitary being himself surrounded by difficulties, exposed to persecution and unable to aid them, was just as little likely to know their wants or have power to apply remedies to their evils, as was the Khan of Tartary.

Such was the situation of what began as a Catholic colony under the auspices of the crown of Great Britain, and with the promise of royal protection. Such were the returns made by their Protestant neighbours to those Catholics who first established religious liberty upon the shores of America. This is but a faint outline of the misconduct of that party which taunts Catholics with bigotry, and illiberality, and which boasts of the great edifice of civil and religious freedom, which they allege, was raised in our republics by the genius of Protestantism! Such is an imperfect sketch of the way, in which their wealth was obtained by the progenitors of those men who reproach the Irish and the American Catholics with their poverty? I shall add but one other detail to the recital. In doing so, I shall exhibit another way in which the wealth of several of the Irish nobility and landed gentry has been accumulated; nor is America altogether free from the taint.

Some of the Irish, and a few of the American Catholics sought, through the friendship and honour of their Protestant neighbours, to preserve at the same time their property and their faith. They gave absolute titles of their lands, by a legal transfer, to their Protestant friends, who undertook privately, by a pledge of honour, which was all they could give, that whilst their ostensible ownership covered it from confiscation and rapine, they would administer it for the benefit of the Catholic family that confided in their friendship, and would reconvey it to the proper owners by sufficient titles, when the law should permit Catholics to become proprietors. Several Protestants have honourably fulfilled this sacred trust, and have thus saved much for the victims of the law, if the outrageous robbery which they sanctioned, be not a desecration of the name of law:—but, for others, the temptation was too great to be resisted: and many a high-headed, titled and domineering Irish persecutor this day holds the wealth of which he boasts, by a title thus infamously transmitted. This vile code, also, gave at once to the child of any Catholic, who at any age should apostatize, the whole real property of the family, to the exclusion of the parents and of the other children, and Protestant trustees were to be appointed to hold it for him, until he arrived at the age of twenty-one years.

Nor was this all. Even personal property was subjected, in a variety of ways, to plunder. Perhaps one anecdote will be a sufficient specimen of the system. I shall relate it, as I heard it from the late venerable Bishop of Cork, Doctor Moylan, who died in 1815. It occurred in his boyhood, and is highly creditable to the Protestant Bishop Browne, of Cork, at the time when this system of robbery was in full force. I am not certain, whether it was not Timothy McCarthy (called *Rabagh*, or, as a lane, where he lived in obscure retreat, is now

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called, *Rawbuck*, by mistake,) was the then Bishop of Cork, or his successor, Bishop Walsh. By the aid of some of his flock he procured two horses, to enable him to make the visitation of his diocess, accompanied by one of his priests, or to fly from his pursuers, as the case might require. The law forbade any Catholic to possess a horse of the value of more than £5, and authorized any Protestant, upon the payment of five pounds, to take away, for himself, any horse that a Catholic owned. A person called on the Bishop to inform him that his horses would probably be demanded under this law: their value was more than six times the amount. Whilst they were yet devising how to save the horses, an agent from the Protestant bishop entered, paid down ten pounds, demanded the horses, insisted upon their delivery, and carried them away; in a short time afterwards, another similar demand was made, but the horses were no longer there. A note was soon received from the Protestant bishop, informing the Catholic prelate, that being quite aware of the determination of several Protestants to secure for themselves the horses, under the provisions of the law, he had sent early to secure them for himself, and having taken them into his possession, he now sent them back to their former owner as a loan to be kept and used until they should be sent for. This was not the only instance in which the benevolence of even the dignitaries of the Protestant Church mitigated the provisions of this atrocious code. In America, equally as in Ireland, were the Catholics emaciated in numbers and in property by its operation; and thus Maryland was made one of those colonies in which, though some Catholics were left, still the spirit of hostility to Catholics was made most manifest. And in Maryland, as in Ireland, if we find evidence of Protestant cruelty and oppression, we also find many noble instances of Protestant generosity, of Protestant friendship, and of Protestant protection.

I have mentioned Pennsylvania as a colony, in which no laws were enacted to restrain religious freedom. Its legislature adhered to this principle, and, as it bordered upon Maryland, when the persecution became vigorous in this colony, several Catholics retired from Maryland into Pennsylvania, but they had scarcely any opportunity of seeing a priest, nor was the term "religious liberty" sufficiently understood by the Quakers to comprehend Catholicity. It is true, that they neither hanged, whipped, banished nor fined the members of our church for their faith, nor did they tax them as *Irish servants;* but there is that solemn, distant, cold, systematic avoidance which proclaims, in a way sufficiently intelligible, the dislike and condemnation which one avoids to express by words. I know of no better description of this conduct, than is contained in a common story told of a Quaker's conduct to a dog which he disliked. Looking at him as he saw some persons approach, he thus soliloquized, "I shall neither hang thee, nor shoot thee, nor strike thee, but I shall call thee by a name," and as the people were within hearing, he exclaimed "Mad dog!" The unfortunate animal was pursued by the crowd and stoned to death, whilst the man who gave the *name* stood by, expressing his compassion for the suffering dog, and subsequently lectured the crowd for their cruelty to dumb beasts. I do not by any means seek to convey by this repetition of a common story my notion of the character of the "Society of Friends," amongst whom, I have met several of the most benevolent individuals and kindest benefactors; but I give it as descriptive of what I do consider to have been the conduct of Pennsylvania towards the Catholics. And I shall give one instance as a sample of the facts, upon which I have come to my conclusion.

About a century since, a few Catholics in Philadelphia wished to erect a small chapel in an obscure corner of the city. No difficulty had, I believe, ever been raised to obstruct any of the several sectaries that were spread through the colony; but it was deemed necessary by those who then ruled, to send for advice upon the subject to the Privy Council in London. It was asked, as no law existed to prohibit them in the colony of Pennsylvania, yet as this people was everywhere contradicted, would it be proper to permit their raising this edifice? The spirit of the answer corresponded with that of the application. There is no legal power, it said, to prevent the Catholics doing as they desire, but it is the wish of the council that as many difficulties as possible shall be raised. And as the obedient rulers of the colony did not wish to incur the displeasure of their British masters, it is unnecessary to remark, that difficulties and perplexity, and delays were not wanting. This suffices to show the situation of the Catholics in Pennsylvania; and everywhere else there was positive, direct exclusion of anything Catholic. After the perusal of these details, the reader will be better prepared to judge of the difficulties experienced by Irish Catholics emigrating to these colonies.

Previous to 1776, few Irish Catholics settled in any of the colonies except Maryland and Pennsylvania; some *Irish servants*

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had been transported to Virginia, and a number of German Catholics had located themselves in Pennsylvania. But the want of a clergy was so great, that no priest was to be met with in more than three or four spots of this extensive region: thus deprived of all spiritual aid, separated from their former associates, estranged from their kindred, mingled amongst sectaries, accustomed to hear their religion misrepresented, and its professors vilified and abused, and seeing no prospect of being able to resume its practices, great numbers of these persons made no profession of their faith; they were gradually drawn to attend the preaching and prayers of the sects; they intermarried with the members of these strange churches; their children, frequently unconscious of the religion of the parent, were educated in direct hostility to its tenets and its practices; so that, in fact, the descendants of far the greater portion of those Catholics who emigrated to the British American colonies, are now not only sectaries, but many of them the most virulent opponents of the church of their ancestors. Notwithstanding these obstacles, it is said, and I believe upon good grounds, that the greater portion of the regular troops furnished by Pennsylvania during the revolutionary war, from 1776 to 1783—or, as they are called, the *Pennsylvania line*—were Irish Catholics. This shows that, though the loss of the Catholic Church was exceedingly great, by reason of the various causes to which I have alluded, yet that at the period of the revolution there was in the country a good number of Catholics, a considerable portion of whom, at least more than one-third, were natives of Ireland.

The success of the revolutionary army established a new state of society; gradually the laws of persecution were torn away from the statute-books of most of the new republics; but however favourable this may be, it could not supply a clergy, nor abolish long-standing and deeply-rooted prejudices, which had been sedulously nourished by continued misrepresentations. And even after the Revolution, years had passed away before several of the states could be induced to repeal the British laws against the Catholics. It is only last year that North Carolina has placed them on an equality with her other citizens; and New Jersey has still a foul blot on her constitution.

It is now necessary, before coming to view the state of religion after the American Revolution, to cast an eye back to a few of the consequences of the transfer of Canada.

We may consider Canada as consisting of some of that portion which is now called Lower, and which extends from Montreal to Quebec, on both sides of the river St. Lawrence, and thence to the mouth of that river, for little more was then settled. We may look upon the rest of Lower Canada, and of what is now called the upper province and all the western territory, together with what is now called New Brunswick and Nova Scotia, as at that period of little or no importance. All this vast region, which was transferred by France to England, together with Canada, at the capitulation of Quebec, I shall consider as an out-territory.

During the French administration, Canada was managed in its religious concerns, generally, with great prudence and great zeal. A bishopric was established at Quebec: parishes were formed, organized, and provided with a good and useful clergy, who spoke the same language, who had the same origin, and the same manners and habits with the colonists. Seminaries for the education of the clergy, colleges for the laity, and convents and schools for the instruction of female children, were erected and endowed; hospitals and other charitable institutions were provided. All had the most perfect analogy to the bulk of the settlers, so far as regarded language, manners, habits, and religion. Everything was prosperous. Jesuits and other qualified missionaries made occasional settlements amongst the Indians, in the out-territory.

The government of England was hostile to the religion of the people. We have seen how violent were the prejudices, and how cruel the laws of the colonies to the south. So that, although by the articles of cession much had been secured by France for the protection of the religion of the new subjects of the British crown, yet they were exposed to great dangers. The successive English governors of Canada received the most precise and insidious private instructions from the English Privy Council, to undermine the Catholic religion in this newly acquired colony, for the purpose of making the English Protestant form of religion dominant and established; but, though the clergy and their faithful flocks, and the interests of religion suffered seriously, yet were all efforts of this description fruitless, and Canada continued faithful to her God and to his church.

The English government was, by its very position, forced to do homage to that religion which it wished to destroy; and it was no time to come to a rupture with the Canadians, when the old colonies were making complaints and presenting demands, after petition had been found unavailing. England, then, yielding to the dictates of good sense and sound policy, began to act with more mode-

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ration in her opposition to the religious feelings of her Canadian subjects; and she reaped the benefit of her change of conduct, whilst the bigotry and intolerance of some of her revolting colonies materially aided to secure to her the co-operation and fidelity of this newly acquired and important Catholic settlement.

Amongst the various complaints made by the thirteen colonies which subsequently became the United States, many were of great weight and manifest justice; but others were palpably unfounded, some frivolous. One of the most conspicuous of these latter was the charge put forth by some of the colonies in their list of grievances, that the King of Great Britain was a tyrant, because he sought to destroy the liberties of the other colonies, and to introduce despotism, by favouring and sustaining, some of them went so far as to say, by tolerating Popery in Canada. They all appeared to use it as a ground for urging against this monarch their charge of a deliberate attempt to destroy their liberties. And yet, notwithstanding this act of so astonishing a character, the Congress of the United States actually sent a delegation in which there was a Catholic, Charles Carroll of Carrolton, and which, upon the suggestion of Franklin, one of its members, was accompanied by a Catholic priest, the Rev. John Carroll, a Jesuit, and subsequently the first Bishop and first Archbishop of the Catholic Church in the United States, to ask the Canadians to join in their revolution!!! It is not surprising that they could not succeed. I have my information from the lips of Charles Carroll. Canada had seen, she had heard enough. Canada had not forgotten the martyrdom of Father Sebastian Rasles, whom some of the soldiers of Massachusetts had murdered, in the midst of his congregation of Indians, on the 23d of August, 1724, and whose dead body they treated with even worse indignity than Buzzell and his mob treated the bodies at Mount Benedict, [more] than a century afterwards. Canada recollected many similar acts of kindness, received in like manner from the colonists of New England. This is sufficient to show the spirit which then pervaded the land. And we surely should consider the Canadians as the most besotted of all beings, were they prevailed upon to give up the protection which England began to afford, in order to make common cause with the colonies, which, whatever their own grievances might have been, complained that conduct far different from such protection was tyranny to them. As Great Britain herself was led by her fears and her necessities to relax her persecution, so, too, the United States forgot the tyranny of tolerating the Catholic religion, in their fear that without Canadian aid they might not be successful. And the lessons thus taught have since been improved upon: considerable progress has been made within sixty years!

The Catholics had many missions in the out-territory amongst the Indians, several of whom had been united to the church, and whose conduct was edifying. The Jesuits had been principally engaged in this apostolic duty, and they had large funds applicable to this purpose, besides those necessary for the maintenance of their own institutions. The British gradually had sent the Jesuits from those missions, seized upon their funds and buildings, and threw back the whole of this immense range of country, if I may so express it, into its original desolation; and thus, that portion of it to the west, which came into the possession of the United States—though formerly, as we have seen, occupied by missionaries—was, at the period of the Revolution, totally without religious opportunities, nor has it since been practicable to make any extensive efforts to seek after and to instruct those red descendants of the first fervent Christian converts. Some of them, it is true, are now again gathered into a few congregations upon the British possessions; others have wandered through the western forests towards the Pacific.

Amongst the most wealthy and respectable colonists of the South, were many families of Huguenots, whom England received upon the revocation of the edict of Nantes, and whom she placed in a region where, by their industry and perseverance, they had acquired for their descendants wealth and power. It was natural that they should entertain and cherish prejudices against that religion from which, they had been taught, their fathers had suffered much; but justice requires the avowal that they have never manifested a spirit of persecution. At the period to which we have now arrived, there was scarcely a Catholic to be found in the whole extent of the Carolinas or Georgia, nor was there a priest in this region for many years after the revolution. Great numbers of the Presbyterians, who were invited to settle in Carolina, were the descendants of those Scotch settlers who had been planted, as I before described, in the north of Ireland, upon the extermination of the Irish Catholics under Elizabeth and James I. Several large settlements had also been made directly from Scotland; and an extensive body of the land was occupied by German Protestants, and a few of the same religion from Switzerland. Still the great

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landed proprietors were of English or of French descent.

SECTION V.

This brings us to the period when the territory ceased to be under the government of England, and when, by a treaty of peace with that power, the independence of the United States was fully and formally recognised. It is obvious, that up to this period, the number of Catholics must have been considerably less than what it would have been, had there existed a sufficient clergy and no persecution. It is at this moment very difficult to say what was the number of Catholics, but I think the clergy would be numbered very fully in putting it down at twenty-five. Indeed, I consider this as overrating it. Many causes now combined to diminish the long-existing prejudices: not only had Catholics fought and fallen in the revolutionary struggle, but Catholic France had aided with her army and her navy; her Catholic chaplains had celebrated our offices in the camps and in the cities; Catholic Poles had fought by the side of the American soldiers, had led their troops into the thickest of the fight, and had sacrificed their lives for the cause of American freedom; the best and most gallant and hardy portion of their own troops, the Pennsylvania line, was chiefly composed of Irish Catholics. The commander-in-chief, the noble and generous Washington, had testified to their bravery and their devotion. A Catholic was the man who probably had staked the largest property in their cause, amongst that patriot band that had pledged life and fortune and sacred honour to sustain the Declaration of Independence. He had gone with Franklin and another, accompanied by a Catholic priest, through pathless woods and unexplored mountains, a long and perilous journey, to try whether they could wipe away from the mind of the Catholic colony of Canada the unfavourable impressions which the ignorance, the folly, and the bigotry of those hostile to his creed, had made, to the detriment of his country. The feelings of hostility to Catholics, and the prejudices against our religion thus began, at the period of the Revolution, gradually to decline, liberty of worship soon was restored in some of the states, penalties were blotted from the statute-book; yet was the public mind quite uninformed respecting our tenets and our principles; the ancient notions respecting Catholic doctrines and practices continued to subsist, though feelings of kindness began to be entertained.

Probably this would have been an exceedingly favourable moment to have taken advantage of such a disposition; but to do so would require a body of clergymen well-informed, prudent, and far more numerous than existed in the States. Just prejudices, if I may use the expression, were entertained against Great Britain, so that if England had had priests to spare, it is doubtful how far they would have been acceptable. That nation so far as regarded our religion, was then in a very different position from that which she at present occupies, though even now, she cannot furnish a clergy sufficient for her own demands, and the late vicar-apostolic of the London district, not long since remarked in answer to official inquiries, that it was impossible to foresee the period when England would be likely to furnish priests for her own colonies. At the time of which I treat, her few clergy were ground down under an afflicting persecution, she had no place in the kingdom for the education of her candidates, and was of course totally unable to do anything for America. Ireland was in a still worse position; yet the loss of the American colonies created in Great Britain a wholesome dread which too far exasperated the plundered population of this ill-treated land. In order to try and secure their attachment, during the war with France and the contest with the revolutionary colonies, the government of Ireland had considerably mitigated the ferocity of its persecution. The Irish Catholics wanted a good many priests and were very insufficiently supplied. As this island had no seminary within her borders, she was dependent upon those which the Catholic nations of Europe, especially France, had allowed to be opened upon their soil for the education of her zealous youth, who, in defiance of the prohibitions of those in power, ventured at the risk of their vengeance, to leave their country by stealth for that purpose, and to return in the face of every peril to serve upon the mission. Little of course could be then done by Ireland for America.

The language of the Catholic nations being so different from the English tongue, which was that of the United States, and the almost impossibility for a foreigner to acquire it, in such a way, as to be a useful public speaker, left little inducement for zealous missionaries from the continent of Europe to enter upon these missions. There existed also other obstacles of no little moment, which rendered it unlikely that European priests could at that moment be usefully invited. The political principles of Europe and the vague notions which existed

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in regard to the revolution and the republicanism of the new states, were undefined and unsatisfactory; the manners and the habits of the Europeans were different from those of the Americans; the contemplation of those differences, added to that of the immense distance at which the great Atlantic then seemed to place the two hemispheres, the infrequency of communication. and a variety of similar difficulties, left little prospect of success as the result of any application. There was another obstacle, arising from the poverty of the Catholics as a body and the almost total absence of any funds, save what could be obtained from their generosity; the sole exception was, some property which had been originally destined for the missions that were served in early times by the Jesuits, and a portion of which had by a variety of contrivances been preserved, and which had at this period been legally vested in the priests of Maryland, who had been incorporated by the new government; and which has since insensibly passed into the possession of the Jesuits of Georgetown, in the District of Columbia, upon the condition of paying something towards the support of the archiepiscopal see of Baltimore. It was from this fund that the clergy then derived the principal means for their support.

Thus, though the Catholics were now spread in greater or less numbers through the States, there were no clergymen save in Maryland and in Pennsylvania, and these were far too few for the number who sought the aid of their ministry. In Maryland, they were pretty much spread in about a dozen places, but in Pennsylvania they could not be found in more than two or three spots outside of Philadelphia. Thus though the immigration commenced, the Catholic immigrants could find neither priest nor altar, nor associates in religious worship, save in a very few spots of these immense regions. I have before described the consequences of this lamentable dearth. To this is to be attributed the melancholy result, that so many thousands of the descendants of these first settlers are now found in the various sects.

Probably not ten priests arrived from Ireland with the many thousands of Catholics who flocked hither from that country, during the years which intervened between the establishment of independence and the erection of the first see at Baltimore, for the whole territory of the Union, in 1790. And whilst the people were scattered through the country, the priests were kept in the principal towns. Nor is it to be imagined that all the clergymen who, in the early days of our republic, migrated from Europe, were actuated in their transfer of residence by the purest zeal, nor that they were the persons best qualified to promote the cause of religion. Some of them, indeed, were men of that description and were extremely useful; but others were driven across the Atlantic by disappointment or by censure, and though they rendered occasional services, unfortunately, they too often counterbalanced them by their scandals.

The leading citizens of these new states were not half civilized savages: they were men of strong understanding, many of whom had received the best education which the schools of Europe could bestow; they had improved their minds by that observation which travelling calls forth; they had served their country at a critical period in the council and in the field; they had associated with some of the best-informed men of the age, and they had read extensively. The influence of such men upon the society by which they were surrounded was powerful. Others, gifted with talent and ambitious of distinction, improved by their intercourse, laboured to emulate them, and frequently succeeded in the effort. He who can understand their language has but to read the compositions which emanated from their pens, and the report of the eloquent and manly speeches which flowed from their lips, and he must be convinced that no nation of only equal numbers furnished at the same time a larger body of admirable men than did the United States at the period which immediately succeeded their independence. Schools and colleges arose, governments were framed, courts of justice were established, religious congregations were organized: on every side creative efforts were made for every purpose.

But when, in the midst of this mighty movement, the observer contemplates the situation of the Catholic Church, he sees, indeed, a bishopric erected; the see is filled by a man worthy of his age, of his station, and of his religion, as well as of his country, but he is found to be comparatively powerless, because equally destitute of a proper clergy and of the means for its creation. The scattered Catholics were destitute of pastors, their children were lost to the church; the greater number of the few who exercised the ministry, were unable to remove the erroneous impressions of such a people as were found over the States. There were few opportunities; no books could be procured to defend Catholic doctrines, the principal portions of English literature, which necessarily became that of the United States, were filled with passages

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tending to destroy our religion by misrepresentation, by sophistry, by ridicule, and by wit; and through the whole country there was not found a press nor a bookseller to counteract this evil. The people sought for information upon the subject, and every source from which they could draw it was poisoned, every fountain at which they drank was tainted. Need we wonder at the continuance of prejudice, the dislike of our religion, the obloquy to which our principles and practices were exposed, or at the false shame which drew the pusillanimous from the profession of their creed?

We now arrive at another epoch, desolating for Europe, beneficial to America! The machinations of infidelity produced their horrible effects in France! Its religion was proscribed, its clergy was obliged to submit to banishment, to death, or to apostacy; several of its pious laity, escaping with their lives, found asylums in foreign lands, and not a few traversed the Atlantic. That small portion of the clergy that betrayed their holy charge, remained at home, and under the protection of the bad men who ruled, were intruded into desecrated sanctuaries to officiate at polluted altars; their faithful brethren were bathed in their blood, or lurked in hiding-places to serve the few who, at the peril of their lives, adhered to their religion and gave shelter to its ministers; but the great bulk of the holy band was found in exile weeping for the desolation of their country, and beseeching heaven to receive it once more to his mercy. The pious and learned emigrant clergy of France, not only edified several countries by their virtue, but elsewhere they aided greatly to the conversion of Protestants, by their zeal, their prayers, and their example. America had the good fortune to obtain several of them, and they became a very seasonable supply in this moment of her destitution. They made efforts to learn her language, and in many instances they were as successful as could reasonably be expected. There is no language more difficult for a foreigner, and it has its peculiar difficulties for one whose vernacular language is French; it is, therefore, that they who can speak it tolerably in public, are but rare exceptions amidst the great number that acquire it so as to be able to converse with facility. America has been fortunate in possessing a few of those exceptions. She has had two or three excellent men in her pulpits, to whom, even persons of taste and of information could listen with pleasure, and from whom they could derive much instruction, as well as gratification. A number of others were able to make themselves more or less intelligible, but I may say that, with scarcely an exception, all edified with their piety, and preached by their example. It is true, that persons who could speak fluently the language of the people, whilst they possessed the learning and the piety of those men, would have been more useful, especially if their habits and customs had better qualified them for mixing with the people, for serving upon the country missions, and for understanding the laws, and the civil and political institutions of the country; but such men could not then be found, and it was a peculiar blessing from heaven that this seasonable aid was obtained.

Shortly after this period, the insurrection in St. Domingo (now Hayti), caused great numbers of the colonists of that island to fly with such of their slaves as would accompany them; a few of the clergy came with these emigrants, and they settled principally in the Southern States. Thus, the French portion of the Catholics in the Union was exceedingly well provided with spiritual aid, but it was far otherwise with the Irish, whose number was continually increasing in the sea-ports, though they went by thousands from these places to the interior, where settlements had already been made, and still farther west, to thin the forest and to subdue the land by cultivation; but in those regions no priest was then to be found.

Ireland had most of her continental establishments for clerical education destroyed by the French Revolution and by the wars which succeeded, and years elapsed before she could obtain, even under the still greater mitigation which her persecutors granted, houses in which her children could be assembled, professors to teach them, and funds for their support. The devotion of her prelates and of her people having made a commencement, the Irish government gave reluctantly and sparingly a miserable dole, which the economy of those to whose management it had been entrusted, expended to the best account. Still, however, many years elapsed before she could supply her own churches, and she naturally considered it to be her duty to make provision for them, before she would send any clergymen to those tens of thousands of her children, who, having left her shores, were to be found in so many parts of these western regions.

Thus, though there was an increase of a good clergy by reason of the French Revolution, it was not precisely of the description that was required in the new republics.

Besides the difficulties arising from the

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diversity of language and customs, there were some that occasionally arose from difference of political predilections. They who outraged religion and massacred the clergy in France, desecrated the name of liberty by the anarchy and despotism to which they so wickedly and inappropriately gave that appellation; and they moreover rendered the name of republicanism odious through a large portion of the world, by the atrocities which they perpetrated under the semblance of its sanction; and although the clergy of France who had escaped to America were sufficiently aware of the wide distinction between the well-regulated order of American republicanism and the licentious and tyrannical infidelity which assumed that name in France, and though several amongst them were gradually becoming attached to American institutions, still, amongst others, unpleasant recollections were excited by the similarity of name, and this could not always exist without an unpleasant influence upon a man who had suffered grievously in the land he loved, for whose ruin he wept, and the memory of which, though dear to his heart, was blent with that of the murder of his cherished companions and devoted friends. It was not, and it could not be in his power always to suppress the exhibition of what he felt. Too often, the thoughtless or the envious, the enthusiastic admirer of liberty or the cool opponent of his religion, made a serious mistake, or took an unfair and an unkind advantage because of this exhibition. Hence, though the cause of religion in the United States gained greatly by this accession, yet it was not free from some disadvantage. And, perhaps, during the twenty years that succeeded the erection of the see of Baltimore, though there was a considerable increase of congregations and of religious opportunities, there was a vast loss to the church, because there was not a body of clergy sufficiently numerous and perfectly fitted to attend the emigrants that arrived from Germany and from Ireland.

Another great source of mischief was the loss of orphan children, even in those places where Catholic congregations were formed and priests were found; these children were placed in public or sectarian institutions, and almost universally lost for ever to the church.

Another may be added, that although there was a bishop, yet the peculiarity of his circumstances confined him almost exclusively to Baltimore and its vicinity, whilst his diocess, which was as extensive as half of Europe, could by no means have the advantage of his episcopal visitation.

SECTION VI.

Before I leave this part of my subject, I must notice the foundation that was laid for much subsequent mischief, by the cause given for serious and anti-Catholic usurpations of trustees of church property, and for the schisms and disgraceful quarrels in churches.

I have previously, in a general manner noticed a want of acquaintance with our legal principles and provisions respecting property amongst some of the clergy. I may here observe, once for all, that unfortunately these principles and provisions seem to have been overlooked in some places to this day. I do not know any system more favourable to the security of religious rights and of church property than that of the American law. I have consulted eminent jurists upon the subject, I have closely studied it, and have acted according to its provisions in various circumstances, favourable and unfavourable, during several years, and in many of the details and as a whole, I prefer it to the law of almost every Catholic country with which I am acquainted. I think, with the exception of one, perhaps two states, that it is a more honest, fair, and liberal system. Like any other, it is liable to be abused, and sometimes the prejudices of the individual will accompany him to the bench or to the jury-box; but this is not the fault of the system. I shall give you an outline of its principles.

The government of each state is that which is to be considered the original sovereign; it pre-existed to the federation, and divested itself not of this sovereignty, but of the exercise of some of its powers, upon entering into the confederacy; and a new power, viz., the government of the United States, was subsequently created, for the purpose of exercising those sovereign attributes of whose use the several states had debarred themselves. They not only did not give to the general government any authority in religious concerns, but expressly stipulated that "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." Thus, whatever authority a government may rightfully possess in this respect, resides in the several state sovereignties; and in fact, they all at present act upon the principle of the above prohibitory enactment. The state does not then interfere with religion, which it considers to be the concern of each individual in his private capacity, and it leaves him in perfect freedom of worship, provided, that in the exercise of this free-

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dom, he will not disturb the public peace, or infringe upon the rights of his fellow-citizens. The state also considers religion to be useful to society, and, therefore, an object for which a number of individuals, having common opinions and common principles, may lawfully and beneficially associate; and it considers that associations so formed ought to be protected by securing the property or funds which they may consecrate to this object, as well as by allowing them full opportunity of practising their rites and ceremonies according to their own views of propriety and utility, provided they do not thereby disturb the good order of society. The state, however, does not recognise in any society thus formed, any individual or class of persons as vested with more power than another, or as having any right not common to every other member, unless such power or right be created or recognised by the society itself. The state recognises in each society thus formed the right to make for itself a constitution or form of government, and by-laws for the management of its own concerns; and when they are regularly made, it recognises their force within that body; and generally speaking, it is willing to grant the privilege of incorporation to religious congregations upon the principles here exhibited.

Upon these principles, there is no difficulty for a body of Catholics to assemble, to form themselves into an association, to recognise the power of their Pope, of their bishop, of their priests, and the several rights of each individual or body according to the doctrine and the discipline of their church; they can, without departing from that doctrine or discipline regulate the manner in which the property is to be held, and how it shall be managed, and can establish rules to restrict and to direct its managers. In a word, they can voluntarily bind themselves by special acts to maintain and observe the whole doctrine and discipline of their church, and can regulate that no person shall be admitted a member of their association without his undertaking this obligation, or shall continue a member if he violates his contract for such observance.

By this process of American law, no person is obliged to belong to any religious society except he shall desire it himself, and he cannot obtrude himself upon any religious society which is not willing to receive him, or whose constitution he violates: and the legal tribunals of the state must, should questions of litigation arise, govern their decisions by the constitution and by-laws of the society itself, provided these laws be not incompatible with the laws of the particular state or of the United States. But where the society makes no constitution, or does not adopt any special regulations, but merely has persons chosen as trustees to manage its concerns, without any special restrictions; these trustees have the power to make all regulations and to change them as they may think proper, during the term for which they have been chosen. Thus there may be trustees with limited powers in some churches, and in others their powers may be altogether undefined.

The Catholics, desirous of securing their property in the like manner as all other religious congregations were doing, frequently applied to the legislatures of the states to have it vested in incorporated trustees, to be elected by themselves, but they seldom or never made any special constitution or laws to regulate or to restrict the power thus conferred; or if they did make any regulations, they were altogether loose and by no means sufficiently precise or technically drawn; and thus the power of the trustees generally became unlimited: it extended, if they chose to use it, over property, priests, bishops, and every person and thing that belonged to the society. This, you will clearly perceive, was not a fault of the law, but a necessary consequence of not so applying its provisions as to suit the doctrine and discipline of our church. And it must be acknowledged, that for a considerable period, no churches in the Union had been more negligently managed in this respect than those of the Catholics; nor is it, even at this day, so easy to persuade some who have much influence in their direction, that the property can be better protected by the great principles of the law, than by expedients.

The evils arising from this ill-digested description of trusteeship caused immense detriment during the infancy of the American church; nor are they merely a part of the history of days that are passed away. Men in several instances, well-disposed in regard to religion, but by no means sufficiently informed of what was required by the doctrine of the church whose faith they held, acting, as they imagined for its interests, began to copy the regulations, and to follow the example of Protestant churches, and to consider their own clergy as a species of servants to perform religious services in the way that they deemed most convenient; they next proceeded, under the pretext of relieving the clergy from temporal cares, to exclude them from any share in the deliberations on the management of church concerns, though they forgot their

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own assumed principles whenever it was necessary to raise funds or to make collections; for on such occasions the clergy were expected to be drudges: and if the income was diminished, or that money was wanted to pay debts, or to make repairs, or for any other purpose, the reduction of the clergyman's salary was the most obvious and natural way to relieve themselves. This necessarily created discontent and estrangement: and if the clergyman complained, he was said to be avaricious and worldly-minded; if their right to *change his wages* at their own caprice was denied, the clergy was said to be ambitious and despotic, and the trustees soon claimed, and, in some instances, attempted to dismiss the priest, without even regarding the rights of the bishop, or the doctrines of their church. They have in several instances intruded bad men, men devoid of mission, having no jurisdiction, and have frequently wasted large sums of the church income in supporting schisms, and in persecuting their lawful pastors. At this moment there are many men living in several parts of the Union, who, in the sight of God, are bound to make heavy restitution to religion for the share which they have had in such disgraceful and mischievous practices. Many persons who were the leaders or conspicuous members amongst the schismatics on such occasions, were persons totally bereft of faith, men born of Catholic parents, and educated in the Catholic church, but who had by the influence of bad reading, of bad companions, or of their own immorality lost their faith, and laughed at the practices of that religion which they however by money contributed to sustain, in order, as they said, that it might preserve their wives virtuous, and their children and servants in obedience. Such men may be seen lounging in the vicinity of the church, or carelessly, or curiously gazing within its precincts half a dozen times in the year; but whenever a schism was meditated, or a turmoil excited, no persons were more ready than were these "Catholic atheists" to be in the foremost ground to protect their rights, to aid religion, and to preserve liberty, by opposing the bishop, by humbling the priest, and by teaching the whole body of the clergy the proper mode of governing the Catholic church!!! I give you in this but a brief and an imperfect outline of what my own register would show during a part of my own administration. I will not, however, deny that in some instances clergymen have forgotten the boundary of their sphere, and endeavoured to encroach upon that of the laity, but had a report been made, as was fitting, to the bishops, the remedy would have been quickly and effectually applied.

Hence I was convinced at an early period of my administration, that the remedy which was most natural, most safe. easiest, and most consonant to our legal position, was to designate, in such an instrument as the law would recognise and sanction, the line that separated the rights of the clergy from those of the laity, according to the principles of our doctrine and discipline, and to have it so adopted as to be legally binding, and legally protective for both.

I will here remark, that although in many places the clergy appear to have done very little, if anything to provide legal security for their rights, some of their cunning would-be-masters have been exceedingly ingenious to procure a legal provision for the perpetual exclusion of priests or bishops from any share in the administration of church goods or property. I have seen some very curious specimens of this in the legislation of Louisiana, where to the casual observer the provisions would appear to be merely the suggestion of ordinary prudence for the respectable and useful administration of church affairs; yet it is in reality the studied deceitful cover which has been flung over mean and tyrannical usurpation, and is perfectly in keeping with that spirit which in so many other regions has, under the pretext of giving honour and protection to the church, subjected it to the worst despotism of the state.

The ill-regulated system to which I have thus adverted, has proved to be a source of great disaster, of many scandals, and of several schisms in the United States, and has estranged great numbers from the church, by disgusting many respectable and peaceable members, by driving many of the schismatics into heresy, and by fomenting, not only a spirit of disorder, of anarchy, and of contempt for discipline, but an estrangement from religious practices, an absence from the sacraments, and a destruction of the spirit of piety, in comparison to which the gross mismanagement of funds and other temporal losses are a mere insignificant trifle. Yet even in this respect the detriment has been very serious, and the respectability which a congregation loses by an exhibition of this description is not to be regained by several years of subsequent good conduct.

At the first provincial council of Baltimore, in 1829, the present chief justice of the supreme court of the United States, then attorney-general of Maryland, together with two other respectable Catholic lawyers, having been consulted upon the subject of

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so securing church property as to insure also the observance of our peculiar discipline, gave their advice. There was, however, a disinclination on the part of nearly all the prelates then assembled, to adopt its principles as a regulation. But, though at present a considerable diversity of practice prevails in the several diocesses of the Union, there is much greater harmony upon this subject between the clergy and the laity: there is very little agitation of the subject, the former disputes have been amicably settled, and there does not appear to be any great probability of new differences arising; mutual confidence, a disposition to mutual respect and recognition, a more creditable zeal for the order and discipline of the church on the part of the laity, are the symptoms that give assurance of better times; and in most places, the experience of the good that has been produced by this line of conduct, not only in the prosperity of the church, the benefit to religion, the charity and affection of individuals, but also in the respectability which it brings to the church and to its members, as well as the spirit of piety which exists, would be sufficient to outweigh all the efforts which could be made to reproduce such disgraceful contests as those that for years had distracted and disgraced some of our churches, and tended to destroy our religion.

I have been exceedingly tedious in the details that I have given: but I felt it better to give you the history of the church, that you may be yourselves able to draw your own conclusions, rather than to give you my opinions, without laying before you the ground upon which I found them. It now remains for me to take as rapid a view as I can, of the period which has elapsed since the erection of the metropolis of Baltimore and the first suffragan sees of New York, Philadelphia, Boston, and Bardstown.

In 1808, the number of Catholics had considerably increased, especially in the large towns on the Atlantic shore, and in the regions west of Virginia and Pennsylvania. The Holy See considered that it would be advisable to accede to the request of Bishop Carroll and of his coadjutor Bishop Neale, to erect new sees in Boston, New York, Philadelphia, and in Bardstown, in the state of Kentucky. In the next year, Baltimore was created a metropolitan see, and Doctor Carroll dignified with the title of archbishop. Two French priests, who had laboured with zeal, assiduity, privations, and success upon those missions, were appointed to Boston and Bardstown. The names of Cheverus and of Flaget are sufficient to exhibit the wisdom of that selection; nor were they the only priests of that description then to be found upon those missions. Doctor Matignon, of Boston, was one of the same class, and whose humility and love for Doctor Cheverus, procured that the latter should take the place for which he had himself been designated. Two Irish priests were nominated for New York and Philadelphia, Dr. Concannon, who, though the first Bishop of New York, never beheld his see; he was consecrated in Rome, and died in Naples, on his way to America. Dr. Egan was the first Bishop of Philadelphia; the few years of his administration were years of difficulty. Doctor Connelly succeeded to New York; and therefore, upon his arrival, may be considered the first that entered upon its administration. Everybody admired his virtue, his humility, and his exertions in discharging the duties of the confessional, and attending the sick; but he was not generally considered to be a prelate acquainted with missions, and fitted to form a new and extensive diocess. One or two of his priests, however, were efficient and active, and much is due to the zeal and prudence of one of them who governed the diocess in times of difficulties, between his death and the nomination of his successor. Philadelphia got into great disorder, from whose consequences it was not easy to relieve it. The South demanded organization. New Orleans was committed to Dr. Dubourg, a man of the most extensive views: but he was without priests or means, and encountered many difficulties. he retired to St. Louis, and laid the foundation of that see, where numbers of Catholics, principally Irish, Germans, and Canadians, had begun to congregate. Charleston and Richmond were created about five years after the death of Archbishop Carroll, who may justly be styled the father of the struggling church. It is not the intention of the writer of this to pass judgment upon others; but he thinks that, amongst other mistakes, the opposition to the separate administration of this latter diocess, by causing its bishop to return to Ireland as soon as he could obtain permission from the Holy See, has been by no means favourable to the maintenance of religion in the state of Virginia. This mistake is about to be remedied, but the past cannot be recalled.

Still the emigration increased with a wonderful rapidity; the sees of Cincinnati and of St. Louis were next created; Florida was ceded to the United States, but years elapsed, churches were vacant, property was lost, and usurpations took place before the see of Mobile was created, and it was

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then only a bishop who was established, without a clergy. It is but a short time since Detroit has been created into a see, and Vincennes has a daily increasing population of Irish and German Catholics pouring in upon its fertile vicinity. Railroads are now added to the canals that previously existed; the intercourse with Europe, and the facilities of passage have wonderfully increased. The population, which fifty years ago was three millions, is this day nearly seventeen, almost a sixfold increase. The Catholic settlers have been spread in thousands of places, not one-third of which can be attended to by the clergy of the country, and the consequences are too plain to be called into doubt. There is no question with regard to the increase of Catholics, the erection of churches, the organization of establishments, but the question is, has there not been a real and serious loss, by reason of the want of a clergy, and by reason of the great delays in doing even what has been already done. I fear that this loss is not only real, but exceedingly great.

The principal causes of these evils I considered to be, 1st. The pouring in of vast numbers of Catholic emigrants upon a country, where nothing had been previously done to enable them to practise the duties of their religion, but where every obstacle existed to render its profession and its practice exceedingly inconvenient, especially to strangers. 2d. The want of opportunity for the education of children of Catholics in the religion of their parents. 3d. The exposure of the numerous orphans left by emigrant Catholics, whose death, or misfortunes or criminality, left those unfortunate children to be educated in public institutions uncongenial to the religion of their parents. 4th. The want of a clergy sufficiently numerous to meet the demands upon their ministry, sufficiently well-informed to be able to act with judgment, and in many instances badly acquainted with the language, often incapable of giving public instruction, and not sufficiently aware of the nature of the government, the law, or the genius of the country. 5th. The invasion of this mission by many priests, who in Europe were found to be incorrigibly bad, or unable to act except under the guidance of others. 6th. Injudicious appointments to places of administration. 7th. The want of mutual confidence and co-operation, arising from throwing together people of several nations well-disposed and zealous, yet having too many points of peculiar habits and divided interest to allow their sufficiently acting in a body. 8th. The vigilance, activity, wealth, and co-operation of the various Protestant societies, which, though divided in religious belief, still are united in every effort to weaken or oppose the Catholics.

I have also, after long examination, laid before the holy father what I considered to be the indication of a simple and practicable remedy for some of those evils, not only in the United States, but over a far wider range of missions which suffer most severely, in many instances, from similar causes. In doing so, I consider that I have done all that is required of me. I have honestly expressed my view of what I was bound to examine; I shall feel well pleased if a better remedy can be devised than that which I have suggested; and if my opinions shall be considered unfounded, or my views to be incorrect, or my propositions impracticable, I shall at least feel that I have done all that my situation required or permitted me to do; and shall endeavour within my own sphere to discharge my duty in the best way that I can, satisfied that they who differ from me in opinion, are actuated by the best motives, and are at least equally gifted as I can pretend to be, with the faculties of observation and reflection, and that in due time proper remedies will be applied to evils which all acknowledge to be in existence and more or less powerful operation. It now remains for me to express my opinion of what your society has done.

I consider its existence to be one of the greatest benefits conferred upon religion in the United States, and its continued exertions at this moment to be not only highly useful, but indispensably necessary: for the active opposition of the enemies of our faith has been excited and strengthened, since they have observed that we have been aided by our friends in Europe, and they have by their supporters been greatly sustained in their efforts. Should we then be abandoned at such a moment, our power to resist them would be greatly diminished, and it would be questionable whether your former generosity would not prove in its results more injurious to religion than it has been beneficial. However, I have no fears upon this head; the principles by which you are guided, and the motives by which you are urged to action are my assurance. You are instigated by the love of God, by the love of your neighbour, by the zeal of religion, by the affection of charity. You are guided by those maxims of prudence which withhold you from interfering in what is not your province, whilst they make you active in your proper sphere. You have procured means for those who were desti-

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tute, and entrusted their application to the authority which, by the discipline of the church, had the right and power for its superintendence. If any mistakes have been committed in the disbursement, the fault is not yours; but you have full merit of the bounty that emanated from your generous charity, nor are you without your consolations. You have built churches, you have erected seminaries, you have sustained missions, you have created convents, you have established schools, you have saved orphans from temporal misery and from eternal ruin, you have caused those who were blind to see the error in which they were, you have roused from their lethargy those whose ears had been long closed, to hear the testimony of truth, the terrors of judgment, and the invitations of virtue. You have made those who before were not able to move in the service of their God, now to run in the way of his commandments. You have caused the Gospel to be preached to the poor, the neglected, and the forlorn; in many a spot you have made what had been a desert, to bloom with the verdure of religion, to swell with the buds of virtue, to blossom the flowers of good works, to spread abroad the fragrance of good example, and to bring forth the fruits worthy of redemption. Thousands who sat in darkness and the shadow of death lift their hands to bless you, for the light and the warmth which they now enjoy from the splendour of the orient which has beamed upon them. You have already done much to alleviate the misery and to check the devastation which have long desolated the western hemisphere. Even now a mighty change has been effected, and you were amongst those who first procured and furnished the means that contributed to its production. Go on, then, with increased zeal and redoubled activity, and be assured that the good men in whom you confide will, under the guidance of heaven, discover and adopt the best mode of applying your benefactions to the greatest advantage.

With sentiments of high esteem,
And affection in Christ,
† JOHN, *Bishop of Charleston.*

Rome, September 29th, 1836.

A BRIEF ACCOUNT OF THE

INTRODUCTION OF THE CATHOLIC RELIGION INTO THE STATES OF N. CAROLINA, S. CAROLINA, AND GEORGIA;

OF THE CREATION OF THE DIOCESS OF CHARLESTON, ETC.

[The account of the introduction of the Catholic religion into the States of North Carolina, etc., was published by Dr. England, in a pamphlet form, in Dublin, during his short stay in Ireland, on his way to Rome, in the year 1832.]

THE diocess of Charleston comprehends North Carolina, South Carolina, and Georgia, three of the most important states of the Confederation. Their respective population, by the census taken in the year 1830 is, North Carolina, 738,470—South Carolina, 581,458—Georgia, 516,504—making a total of 1,836,432 souls; being an increase of 353,875 over the census of 1820, and about one-seventh of the population of the entire of the United States, which, by the last census, was 12,856,407 souls, dwelling in twenty-four states, three territories, and the federal district. The northern boundary is the line which divides North Carolina from Virignia: this line runs west from the Atlantic, in the latitude of 36° 30′ N. The southern boundary is the St. Mary's river, which divides the state of Georgia from the territory of Florida, about six degrees south of the above line. It stretches on the east along the Atlantic Ocean from a little north of Currituck Inlet, nearly south, as far as Cape Hatteras, and thence southwest, an extent of upwards of 500 miles, having a considerable number of ports; the principal of which are, Edenton, Washington, Newbern, and Wilmington, in North Carolina: Georgetown, Charleston, and Beaufort, in South Carolina; Savannah, Darien, and St. Mary's, in Georgia. Its boundaries on the west are the state of Tennessee, from which it is divided by the Bald Mountains, and then by the Iron or Smoky Mountains, to a point where they strike the 35th degree of latitude, upon which parallel the line runs westward, to a place called Nicajack, near the Tennessee river, between the de-

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grees of 85 and 86 longitude, west from Greenwich: from this point in the state of Tennessee, it is separated from the state of Alabama by a straight line running nearly south till it strikes the Chattahoochie river, at a place called Miller's Bend, a few miles south of the 33d degree of latitude: from this spot the river itself is the boundary, as it proceeds to discharge itself into the Gulf of Mexico, through Apalachicola Bay.

The number of Catholics spread through this large extent of country is small indeed; few diocesses have so large space of territory, few have so small a Catholic population. At the period of the Revolution of 1776, it might be said that there was scarcely one member of our church in what is now the diocess of Charleston: still later, the tenets of that church were scarcely known; the most strange notions were entertained respecting the doctrines and practices of Roman Catholics, and the greatest obstacles presented themselves to the introduction of their religion. A brief sketch or outline of the early religious history of the three states, will show the nature of these difficulties.

The Carolinas were settled as a colony about one hundred and fifty years since, by English emigrants; the penal laws against Catholics were then in full force, and the hatred to their religion was violent in Great Britain; it was considered indeed doing a service to God and to the state, to oppress them; to keep this spirit in full vigour, the grossest misrepresentations of our doctrine were sedulously got up and circulated. The pardon of sins, already committed, by absolution obtained for money; leave procured under the name of indulgence, to perpetrate future crimes of the most atrocious description, at an exceedingly moderate charge; the principles that no faith was to be kept with heretics, that kings or princes who were not obsequious minions to the Pope, should be deposed, and ought to be killed, that all persons who were not members of the Catholic Church and consequently slaves to Rome, should be exterminated when ever an opportunity offered; these and a variety of similar exhibitions. as the true features of what was called "popery," were given to the world, as the justification of that barbarous code which then disgraced the British and Irish statute books. Numbers of simple and well disposed people, who had no means of detecting the falsehoods, sincerely believed the truth of statements made solemnly in the halls of legislation, from the pulpit, in the courts of justice, and even introduced into the very liturgy by which they approach to pay homage to their God. The high Church of England was fostered with peculiar care in the first settlements made in the vicinity of Charleston: parishes were laid off and ample provision secured for the maintenance of clergy: the laws against Catholics formed a portion of the colonial code, through indeed they were inoperative for want of subjects against whom they could be enforced. As the colony increased in age their notions of the Catholic religion became inveterate: nor was there a corrective — the colony received all its literature from the mother country. We all know how history has been perverted to serve the purposes of what was called the "Reformation of religion," and to palliate the crimes committed by the dominant party in Great Britain: even the British Parliament has lately testified against the forgers of plots, and the fabricators of falsehoods, by doing some tardy and imperfect acts of justice. America was supplied from the mother country with abundant addition to the original calumnies; every plot, every explosion, whether of a mine of gunpowder or of a meal-tub, was said to be the villany of "papists." No wonder that strange notions of our religion should be entertained by a colony thus tutored to the detestation of a calumniated people!

Carolina, however, received, as an addition to her settlers, a large body peculiarly fitted to imbibe their notions and to confirm the former opinions of the British colonists. After the revocation of the edict of Nantz, vast multitudes of the Huguenots left their native country sooner than abandon their religious tenets; considerable numbers of the most industrious and wealthy of those expatriated Protestants, filled with a deep sense of the injuries they had sustained, went to accept the lands which were assigned them in this new region. We can easily conceive how the feelings of gratitude to England, a great similarity of religious principle, a spirit of retaliation against those who drove them from their fathers' land, and a dislike of the Catholic religion, operated upon minds equally ardent and susceptible. Though some of their own clergy, for a time, afforded them the peculiar ministrations to which they were accustomed, yet gradually they intermingled with the English settlers, and insensibly conformed to the English liturgy, and adopted the English articles of belief; so that after the lapse of a few years there was no perceptible religious distinction between the colonists.*

*[Since the period when this account was published, a portion of their descendants have formed a distinct, Huguenot congregation.]

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Some time subsequently to this settlement of the Huguenots, it was deemed useful to introduce new settlers of more limited means, but of a sturdy character, to form a barrier between the rich planters on the seacoast and the tribes of Indians who then roamed through the western regions of the Carolinas. For this purpose the Protestants who resided in the northern parts of Ulster in Ireland, were considered peculiarly desirable; several of them emigrated and received encouragement. Not being generally descended from the aboriginal Irish, but chiefly from the Scotch colonists, who were placed upon the confiscated lands of the northern Irish Catholics; they were called Scotch-Irish, and were nearly all Presbyterians. Several of their relations from Scotland soon occupied portions of the country too, and large numbers of Presbyterians from the Highlands as well as from the Lowlands of Scotland, became colonists of this new region. From this it is easy to perceive that it was morally impossible that any accurate notion of the Catholic religion, or any sentiment in its favour, could be found in this country. This was the result of circumstances over which the colonists themselves had no control.

About a century has elapsed since Georgia began to be settled by Oglethorpe, who brought his colonists from Great Britain; and they were, of course, similarly circumstanced with their Carolinian neighbours, as regarded their opinions and feelings in respect to the Catholic religion; but there were other causes that greatly contributed to render it peculiarly obnoxious to Georgians.

Florida was then in the occupation of Spain, and the boundary line between the Catholic and the Protestant colonists not having been agreed upon, each endeavoured to enter upon what was claimed by the other. The enmity arising from border warfare and occasional depredations, was now superadded to the sectarian hatred, and the rancorous animosity arising from various causes; all seemed to merge itself in the single difference of religion. Any one who considers the manner in which the best English writers of that unhappy period described the Catholic nations of Europe, and attributed their fancied evils to their debased religion, can form some idea of what must have been the sentiments of a remote adventurer, whose imagination had been filled with a horror and contempt for "Popery," and who slept upon his arms, to be continually prepared against the treacherous incursions of "bloody and faithless Papists, banded together for his destruction."

As the French and Spaniards were the nations from which Great Britain had most to apprehend for her western colonies, and as she was frequently engaged in war with them, and several contests had taken place in the new world between their several dependants, it became a part of the settled policy of the British government upon this ground, as well as for the causes previously alluded to, to excite to the highest pitch this sectarian antipathy. Let any one calmly consider the uninterrupted operation of these combined causes in this new country, without a single counteracting circumstance; let him reflect that every book that mentioned the Catholic religion, did so in terms of contumely and vituperation; that every description which was given, exhibited it as equally inimical to civil liberty, to religious truth, to pure morality, to the happiness of man, and to the sanctity of God; and can he be astonished, that after the lapse of a a century, from the settlement of Carolina, the Catholic religion should be looked upon as an intolerable evil, and Catholics themselves as the very outcasts of society? However we may deplore the sad mistakes of a people thus systematically misinformed and excited, we must abstain from their condemnation.

It will not, after this, be considered very extraordinary, that in her list of charges against the British monarch, the colony of Georgia should have inserted one imputing to him the design of subverting liberty and destroying truth, by permitting, and even upholding the practices of the Catholic religion in Canada. Nor will it be matter of astonishment that in Charleston, two men, who were discovered to be Irish Catholics, should be accused of conspiring with the negroes against the liberties of the country, and be summarily condemned to an exhibition in tar and feathers, and subsequent banishment: neither will it excite our amazement to find, that at the period of the Revolution, the supposed friends of the King of England, as well as his ministers, should be shown forth in the same city as under the influence of the Pope and the devil, and in their joint keeping. These occurrences took place in the year 1775.

When the colonies declared themselves independent of Great Britain, on the 4th of July, 1776, there were very few Roman Catholics in the territory which now is attached to the see of Charleston; and these few had no ministry. It will be, therefore, easily seen, that for any particular purpose, their profession of belief would have been altogether useless, and circumstanced as they were, it would have been attended in

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most instances with consequences exceedingly unpleasant to themselves. Thus, although there were some Irish Catholics, especially in the Carolinas, their existence was absolutely unknown not only to their neighbours of other religious denominations, but they in most instances did not know each other. Fifty years after this period, owing to similar causes, the writer of this sketch has frequently discovered and introduced to each other as Catholics, persons who had during several years been residing in the same vicinage without the slightest suspicion on the part of either, that the other was of the same religion as himself. In many instances these persons intermarried with those of other religions, without even intimating what was their own, and at this day it is believed not to be an exaggerated estimate to state that in this diocess the descendants of Catholics, who, by reason of the want of a ministry, now belong to other denominations, are four times as numerous as the actual number of those who belong to the church.

When the colonies, having asserted their independence, became sovereign states, each of them formed a constitution for its own government; most of them retained in one way or the other the old principle of excluding Catholics from places of trust or of emolument; but in the subsequent amendment of those constitutions, the better sense of a more enlightened people cast away this remnant of British bigotry. North Carolina still retains it upon her books, as does New Jersey; but were they to have the opportunity of amending their fundamental laws, these blurs would quickly be expunged. In South Carolina and Georgia they have long since disappeared. Yet the consequences of degrading enactments will not always cease upon the repeal of the law itself; public opinion may demand the abolition of an obnoxious, or of a disgraceful statute, and yet the private opinion be, in a great measure, unchanged as to supposed causes which produced the discarded provision. The folly and the injustice of the exception operated the change in the constitution, though unfortunately the notions respecting the errors and the abominations of the Scarlet Lady have not become antiquated, though they are corrected to a great extent. Thus, though there has not, during many years, existed any legal impediment to the political progress of the Catholic, yet the strong current of popular opinion set strongly against him, and still does in most part of the Southern States. One instance out of many is noticed. Only four or five years have elapsed since, in one of the judicial districts of South Carolina, a lawyer called upon a jury to acquit his client, who was charged with a felony, upon the ground that the only testimony which would fasten the offence upon him, was that of a Catholic, and that as a Catholic was not credible upon oath, there was no evidence to sustain a conviction. The judge, however, differed from the advocate, and charged the jury that, to his own knowledge, the statement was unfounded, for that Catholics were very well instructed in the nature of an oath, and as well disposed to revere its sanction, as any other persons that he knew. Shortly afterwards, that judge mentioned the fact to the Catholic bishop, with a recommendation that he would endeavour to preach in the district, and by the explanation of the tenets of his church, remove the prejudices of his fellow-citizens. This judge was a member of the Protestant English Church, and the descendant of a Huguenot.

Previous to the year 1776, several religious changes, in which Catholics had no concern, took place: as, however, their consequences might in some degree be exhibited in the variety of religious denominations now existing in those three states, and thus in a measure affect Catholicism, it is well to give a few lines to a general notice. Whitfield and Wesley, the great founders of Methodism, laboured for no short period, and with a good share of success in this field; the number of their followers was considerable, and in several places no other form of religion was known. The structure of Methodism in many parts of the colonies differed from what it continued to be in the mother country. In Great Britain there were preachers, who excited the people to feel a greater interest in religion, to live according to a prescribed method, and to be zealous for the conversion of others; but, properly speaking, the sect, if it may be so called, had no peculiar clergy: the members went to the clergy of the established church for sacraments; by that clergy their children were baptized; from that clergy they received the Lord's supper; and not only did that clergy administer sacraments to this people, but by them they were married, and by them were buried. For the colonies, however, Mr. Wesley ordained a bishop, and that bishop ordained priests and deacons: thus Methodism, in place of being, as then it was in Europe, a mere association of the more pious members of the established church, became, to all intents and purposes, a separate sect, differing from that by law established, very little in its articles of belief, but very considerably in its discipline. At

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first the organization was not full, nor the separation complete; but gradually the form became more distinct, and the body had its parts made perfect. The Church of England did not, of course, recognise this new hierarchy. Though it believed Mr. Wesley to be a priest, it did not believe that he could consecrate a bishop, nor could it therefore admit that the persons whom he undertook to ordain, received any addition to their power, or any authority for their mission, by the imposition of this gentleman's hands. Mr. Wesley argued upon a principle which was by no means new amongst Protestants, that the necessity of the case warranted a deviation from the old institution, and supplied whatever might be wanting in either order or jurisdiction. His followers acquiesced, became as perfectly satisfied with the sufficiency of their own ordination as that of the gentlemen by whom they were, as they believed, over fastidiously opposed; and they were fully content with the ministrations of their new and zealous clergy, whose activity, earnestness, regular habits, and perseverance soon increased the numbers of their adherents.

The Germans have sent many industrious and active settlers to this new hemisphere; and considerable numbers of them took up their abode on the banks of the river Savannah, which separates Georgia from South Carolina. Several of them also settled in the Carolinas. They of course were Protestants, for the Catholics were inadmissible, except in Pennsylvania. These colonists introduced Lutheranism; they had their own pastors, who were not only unmolested, but treated with considerable kindness, and in many instances experienced as much favour as the clergy of the establishment.

As the Indians removed towards the west, and the trade of the colonies began to increase, migrations from the more northern settlements introduced Baptists and Independents: they too received a tacit permission, and occasional encouragement; so that. at the period of the revolution, though the English form of Protestantism was that by law established and dominant, yet it was far from being that which was professed by the larger portion of the colonists of the Carolinas and Georgia.

Perhaps no one of the colonies, at this period, stood higher than South Carolina in literary attainments, polished manners, high and generous feelings, and all that could elevate the character of its leading citizens. The planters enjoyed considerable wealth, had their children educated in the best schools in England, in which they had themselves attained information and credit; they also exercised a splendid hospitality. and were deservedly esteemed as disposed to patronise, in their own land, literature and the fine arts: but yet the several causes which I have enumerated led them to consider the Catholic religion in an exceedingly unfavourable point of view.

Enough has been given to show how numerous and great would be the difficulties of an humble member of the Catholic Church, in the midst of such circumstances. It will therefore be easily perceived why, though several Catholic settlers had privately introduced themselves, they were not only not known by their neighbours, but not even by each other, to be of that religion.

Some time about the year 1786, a vessel bound to South America put into the port of Charleston. There was a priest on board: as well as can be recollected, he was an Italian. The few Catholics who now began in the city to be acquainted with each other, and to enjoy the benefit of that toleration which followed the revolutionary struggle, invited him to celebrate mass, which he did in the house of an Irish Catholic, for a congregation of about twelve persons. This might be marked as the introduction of the Catholic religion to the present diocess of Charleston. As the vessel delayed but for a short time, no other duty appears to have been done by him. However, this little manifestation of their faith by the few who attended, induced others, who observed it, to be more confident; and it was soon discovered that the number of Catholics in the city was larger than any of themselves had supposed. In a year or two afterwards an Irish priest (Mr. O'Reily) spent a short time in that city, and officiated as far as the state of his health, which was feeble, would permit; but he soon left the state, it is thought. for the West Indies. Soon afterwards another Irish clergyman (Rev. Doctor Keating) came thither: and in the year 1789 the little congregation made an effort to purchase a small piece of ground, close to the town. upon which an old meeting-house, that had been used by the Methodists or some other sect, was in a very ruinous condition. The Catholics were almost exclusively Irish settlers; their means were exceedingly limited; but they were generously assisted by their fellow-citizens, and succeeded in securing the ground, and giving some necessary repairs to the edifice. In the year 1790. upon a review of the constitution of the state of South Carolina, the odious clauses excluding Catholics from place and honours were stricken out; and in 1791 the Roman Catholic Church of Charleston was incorporated by an act of the Legislature of South

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Carolina. Doctor Keating went from Charleston to Pennsylvania, and died in Philadelphia. Thus was this little struggling flock again left without a shepherd.

During their dependent state, the jurisdiction for these colonies was derived through the vicar apostolic of the London district: this, of course, was not altered by the political revolution which made them independent civil states. Yet it was for several reasons judged proper to render America as independent of Great Britain in her spiritual, as she now was in her civil or political situation. The proper steps were taken for this purpose; and Baltimore, having been considered as the most convenient location for an episcopal see, was selected for that end; and the Rev. John Carroll, who stood conspicuous for virtue and learning, and deservedly beloved and respected amongst his brethren and their flocks, and who had rendered service to the states in their struggle, was nominated its bishop. He came to Europe to receive the sacred character; and on the 15th of August, 1790, the festival of the Assumption of the Blessed Virgin, he was consecrated in the chapel of Lulworth Castle, the property of the Weld family, by one of the vicars apostolic of England. His diocess comprised the entire of the thirteen United States of America. Shortly after his return, the little congregation of Charleston transmitted an address of congratulation to their prelate, stated their destitute condition, and requested a pastor, whom they would use every effort to support. Bishop Carroll, in his answer, lamented his inability, owing to the great want of priests, to comply with their request, exhorted them to perseverance and piety, and assured them that he would use his best efforts to have their wants supplied, as soon as it should be in his power. This little congregation was at a distance of about six hundred miles from the nearest priest; and should one go to minister to them, he would be himself at that distance from any opportunity of receiving the sacrament of penance, or in case of danger the sacrament of extreme unction. Still, however, in such instances, the Almighty will reward and sustain with his extraordinary graces, those men who, with a noble charity, place their confidence in his mercy, and devote themselves to the salvation of souls and the propagation of the faith. If they enter upon such a mission with such motives, persevering in prayer, and cherishing their piety by wholesome devotional practices, and the regularity of their habits, he who "breatheth where he will," and before whom a cup of cold water given for the sake of Christ will not lose its reward, will amply supply, by his immediate influence, the want of those ordinary means, which it would be great criminality to neglect when within our reach, from the opportunity of using which it can never, under the usual circumstances, be lawful to depart; but the absence of which can be supplied for those who are duly called, or properly sent into such a desert, by him who commanded ravens to feed his prophet.

In the year 1793, the Rev. S. F. O'Gallagher, a native of the city of Dublin, a man of extraordinary eloquence, of a superior intellect, and finely cultivated mind, arrived in Charleston, with the authority of the Bishop of Baltimore, to collect the little flock that had been scattered, and to repair the building that had almost crumbled into ruin. This was no easy task; though the learning and elocution of the pastor drew to this tottering remnant of a wooden church, the first rank and talents of the city. The ground was set apart as a place of burial for the congregation, that became more numerous than it had been; but their means not being adequate to the maintenance of their pastor, he engaged as one of the teachers in the Charleston college: so that still having sufficient leisure from his school duties to attend to the calls of his congregation, he in a great measure relieved them from the weight of what would otherwise be necessary for his support.

Efforts were now made to give a more permanent form to this congregation, and with a considerable degree of success; but still a variety of obstacles, which it would be as tedious as unnecessary to enumerate, made the task exceedingly difficult.

At this period, also, a few Catholics from Maryland removed into the state of Georgia, to the vicinity of where the church of Locust Grove was subsequently built; previous to their removal they applied to the bishop for a clergyman to accompany them, but were unable to obtain this blessing; yet was the spot on which they settled destined to be that from which the Catholic Church, in this state, should date its origin.

The French Revolution was not without its effects upon the nascent church of the United States. At this period, when infidelity and licentiousness usurped and disgraced the name of liberty, a cruel persecution drove from their shores some of the best of the French clergy, who had been able to escape from the *lanterne*, the guillotine, the pike, the musket, and the poniard. The labours of these men were crowned with blessings to the more northern regions, but they did not spread themselves into the

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southern Atlantic States; so that, as regards the diocess of Charleston, their arrival was not a matter of much importance, though exceedingly beneficial to other parts of the Union; and, at a subsequent period, the steady virtue and bright example of some of these good men, formed a strong contrast to the vices of some bad priests who, rejected from the ministry of their native land, betook themselves to a new country, where the dearth of a clergy who could speak the language of the people, almost compelled to the experiment of placing confidence in their protestations of repentance for the past, and fidelity to their engagements. Alas! how extensive and pernicious have been the evils produced in America from this melancholy source!

The effects of this revolution were also felt in the French colony of St. Domingo; and when the revolted negroes had spread ruin and carnage through a large portion of the island, some of the surviving, but now impoverished, colonists fled to the United States. They were received with a kind and generous hospitality, and several of them settled in Charleston, others at Savannah and at Augusta, in Georgia. One of their priests found his way to the little colony of Maryland, about fifty miles above Augusta, and began, with the authority of Bishop Carroll. to discharge the duties of his ministry. This was the commencement of the church of Georgia, a short time after the arrival of Dr. Gallagher in Carolina. This missionary paid some visits to the refugees in Augusta and Savannah, and found there, also, some Irish Catholics who began to think of forming themselves into congregations. The upper settlement was soon abandoned by him for that near the sea, where the numbers were greater; and Savannah, after a few years, became the fixed residence of a priest, after two or three transitory missionaries had died or departed. The congregation was incorporated by the Legislature of Georgia; the city council gave a grant of land to build a church; the zeal of the Catholics, and the generosity of their fellow-citizens, furnished the means for its erection, and an edifice of wooden framework, with a small steeple, was raised; though its dimensions were not large it sufficed for its congregation, which was served for some years by a Rev. Mr. Le Mercier, and subsequently by the Rev. Dr. Carles, now vicar-general to the Archbishop of Bordeaux. Savannah is about one hundred and twenty miles southwest of Charleston; so that there was some opportunity afforded to their pastors occasionally to see each other. Augusta, which was about the same distance, in a northwestwardly direction from Savannah, and on the river of that name, was sometimes visited; but owing to the difficulties and the distance, the upper and original colony very seldom had any spiritual opportunity. There some of the members fell off into other congregations, and in many instances the children were neglected.

In Charleston, the old wooden building had been taken down and a brick church erected in its stead, of such dimensions as were considered sufficient for the congregation, and even to leave room for some strangers: its length is about sixty feet, and its breadth nearly forty, with a small gallery which contains an organ; a porch was added several years after, consisting of a good pediment along the entire front, sustained by four handsome columns, upwards of twenty-five feet in height. The cemetery of this church, which is now in the centre of the city, affords, in the inscriptions of its monuments, the evidence of the Catholicity of those whose ashes it contains. You may find the American and the European side by side; France, Germany, Poland, Ireland, Italy, Spain, England, Portugal, Massachusetts, Brazil, New York, and Mexico, have furnished those who worshipped at the same altar with the African and Asiatic, whose remains are there deposited: during life they were found all professing one faith, derived from a common source; after death their remains commingle. The family of the Count De Grasse, who commanded the fleets of France, near the commodore of the United States and his partner, sleep in the hope of being resuscitated by the same trumpet to proceed from their neighbouring beds of earth to the possession of thrones purchased by the blood of their common Redeemer.

About the year 1810, Augusta had a pastor of its own. An Augustinian friar, the Rev. Robert Browne, who had for some time served on the mission in the city of Dublin, resided here, and visited those of the upper colony, who remained faithful. The Legislature of Georgia incorporated the Catholics of Augusta, and authorized the trustees of the Richmond Academy to convey to them a very fine lot of land, in a convenient spot at an outlet of the city, upon which was raised, by subscription, the brick church of the Holy Trinity, fifty feet in length by twenty-five wide, with a convenient vestry room annexed to the altar end. Some years afterwards, under the incumbency of a succeeding pastor, a very excellent house was built contiguous to the church, for the residence of the clergyman.

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There was also a lot of ground, containing two acres, given in the upper district by one of the congregation; upon this ground a church was built of logs, and a burial ground was enclosed with a fence. This same gentleman gave also a sufficient farm, adjacent to the church, for the support of a priest.

The church of South Carolina had been unfortunately retarded in her course, and distracted by miserable dissensions, the particulars of which would be to the readers of this sketch as unintelligible as they would be uninteresting. The pastor of Augusta was, after a few years, called to aid in the administration of the church of Charleston, and thus Augusta was again left vacant. Several of the members who stood in some degree of estimation in the flock at Charleston, and who possessed most worldly means, absented themselves through disgust, and the church itself was not unfrequently closed, and the regular pastor was more than once excluded and driven to officiate in a private house. Though the number of Catholics in this city had greatly increased by arrivals from Ireland, and other parts of Europe, in addition to the number of colonists and slaves who fled from St. Domingo; yet, owing to their wretched dissensions, no progress was made in the religious state of their society. An emigrant, who arrived in that city about the year 1809, was desirous of making his Easter communion, and not finding any other persons preparing, he hesitated for some days, until discovering two others similarly circumstanced with himself, the three made their preparation, and few, if any others, were known to have then acted in like manner.

In North Carolina, an Irish priest, (Mr. Cleary,) who was a canon of the church of Funchal, arrived at Newbern, to look after some property which had devolved to him by the death of a near relative, in that vicinity. He celebrated Mass, and administered the sacraments to a few Catholics, who resided in and near the town; he did not very long survive his relative; his remains were interred in Newbern.

The progress of religion in other parts of the United States was very different from that which the South exhibited. In 1810, Baltimore had been raised to the dignity of an archbishopric, and four new sees created and made suffragan thereto, viz., Boston, of which the present Archbishop of Bordeaux (the Most Rev. Doctor Cheverus) was the first bishop; New York, for which see the Right Rev. Doctor Concannen, an Irish Dominican friar was consecrated; Philadelphia, of which the Right Rev. Michael Egan, an Irish Franciscan friar was first bishop; and Bardstown in Kentucky, for which the present venerable and apostolic prelate, Right Rev. Doctor Flaget, a native of France, was consecrated. Doctor Carroll survived as archbishop until the close of the year 1815, when he was succeeded by his coadjutor, the most Rev. Doctor Neale, whose death in a couple of years caused a vacancy, which was filled by the appointment of the Most Rev. Doctor Mareschall, a Sulpician priest, born in the diocess of Orleans in France, but who at the period of his appointment to the Metropolitical see of the United States, had spent considerably near twenty years in that country.

In 1817, peace was in some degree restored to the church of Charleston, by the exertions of the present respectable bishop of Boston, Doctor Fenwick, a native of Maryland, and a member of the society of Jesuits, who was accompanied by the Rev. Doctor Wallace, a native of the county Kilkenny, in Ireland. By the prudent administration, the zealous discharge of every duty, and the concillating manners of those gentlemen, and by removing some of the causes of previous irritation, much good was effected; the people were reunited, the church reopened, and the sacraments again regularly approached, by many who had been long absent.*

[* (From the National Intelligencer.)

THE REV. J. P. CLORIVIERE.

Joseph Peter Picot de Cloriviere, deceased on the 29th of September, at the monastery of the Visitation, in Georgetown, D. C., was descended of a noble family, in the province of Brittany, in France. Since the year 1377, his ancestors are mentioned with distinction in the history of this province, in the religious, civil, and military careers. Joseph Peter Picot, the subject of the present notice, was born near Broons, on the 4th of November, 1768. At the epoch of the revolution which brought Louis XVI. to the scaffold, he took a decided part in defence of the rights of his country, and of humanity, and so many were his feats of valour, and so undaunted his courage, that he deserved, in 1800, to receive from the hands of Charles, the present king of France, in the name of his brother, Louis XVIII., the decorations of the order of St. Louis. Like many of his fellow-officers, when the army of La Vendee was disbanded, he went to England, and afterwards came to this country, which, in those days of confusion and anarchy, so frequently proved the asylum of the brave and of the virtuous.

After having spent several years in different avocations, honourably supporting a life which would have been lulled in affluence in his native country, he determined, in 1808, to enter the seminary in Baltimore, and having performed the usual course of preparatory studies, was admitted, in 1812, to the holy order of priesthood.

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Georgia had, however, been exposed to affliction. The pastor who had succeeded Mr. Browne in Augusta, after that church had been for some considerable time vacant, became negligent and scandalous, and finally apostatized. His place was, however, supplied by the Rev. Mr. Cooper, a zealous American priest, who was a convert to the church.

In North Carolina, two small congregations, one at Washington, in Beaufort County, the other at Newbern in Craven County, were also visited by the Rev. Nicholas Kearney, an Irish priest, who had been stationed at Norfolk, in Virginia, where a church had been recently built, by the exertions of the Rev. Father Lacey.

The Rev. Dr. Carles had left Savannah for France some time after the restoration of the Bourbons. Dr. Gallagher had taken charge of the church of that city, which was now somewhat enlarged, for its increased congregation, principally composed of Irish settlers; and the Rev. Mr. Browne proceeded to Rome, for the purpose of pressing, on behalf of the people, a petition, in the propriety of which the archbishop also acquiesced, that the Carolinas and Georgia should be separated from the see of Baltimore, and placed under the jurisdiction of a new see to be erected in Charleston. This was done on the 11th of July, 1820; and the Rev. Doctor England, who at that time was parish priest of Bandon, in the diocess of Cork, but who had, more than once, previously sought leave to serve on the American mission, was appointed to the newly erected see, which was, of course, made suffragan to Baltimore; he was consecrated in the Roman Catholic church of St. Finnbar, in the city of Cork, on the festival of St. Matthew, the apostle and evangelist, the 21st of September of that year, and soon proceeded across the Atlantic to take possession; which he did in the latter end of December.

Upon his arrival, the bishop found only two churches occupied, and two priests doing duty; one at Charleston, and one at Augusta. He had ordained two priests in Ireland for the new diocess, previous to his departure; one of them, the Rev. Denis Corkery, accompanied him. After a few days' delay in Charleston, Doctor E. proceeded to Savannah, where the church was vacant; the number of Catholics was about five hundred, which was probably one-eighth of the population: he appointed the Rev. R. Browne their pastor. In Augusta he found the Rev. S. S. Cooper, of whom mention has been previously made; here the Catholics were not as numerous as at Savannah. After having spent a few days at Locust Grove, he organized the remnant of the congregation in the upper district, and encouraged them to repair their church, leading them to hope they might soon have a pastor. In Columbia, the political capital of South Carolina, he found a few families of Irish Catholics, and some tradesmen and labourers, who were employed in constructing a canal; after officiating for them, he returned to Charleston, and sent Mr. Corkery thither. Confirmation was for the first time administered in the church of Charleston, in Lent and at Easter: the number of communicants at the previous Easter had been 175; this year they were considerably more numerous; and upwards of 180 were confirmed, amongst whom were some converts.

Finding the mode in which the church

The most venerable Dr. Carroll, who then occupied the Archiepiscopal See of Baltimore, with his usual prudence and sagacity, discerned his merit, and commissioned him to share the labours of the extensive congregation of Charleston, in South Carolina. There he displayed that ardour for the glory of his Divine Master, which glowed in his breast, and sowed seeds of piety, which will long be cherished. His pious endeavours, however, were not permitted to fructify without the most desperate opposition. In these trying times he evinced a courage and a patience in the discharge of his ministerial functions, worthy of the holy cause in which he was engaged. Archbishop Neale, too, was fully aware of his worth, and tendered to him, during his short administration, the most unequivocal marks of his affection and esteem.

In 1819, when Charleston became an episcopal see, Mr. De Cloriviere returned to the diocess of Baltimore. He was affectionately received by the venerable prelate that now governs this diocess, and appointed to the important charge of director of the monastery of the Visitation, in Georgetown. Here a new field was opened to his zeal, his prudence, and his piety, and the citizens of Georgetown soon witnessed, with joyful astonishment, how deeply these virtues were rooted in his bosom. A monastery almost created anew—an edifice so noted for its taste and elegance, erected to the worship of the Almighty—an academy for the instruction of young ladies, established on the most extensive plan—a benevolent school to facilitate the education of those in less easy circumstances, are lasting monuments of his zeal, and will long call to the minds of the citizens of the district, the remembrance of the generous, pious, affable, *Joseph Peter Picot de Cloriviere.* Yes, lamented friend! long will your name be remembered. The pious souls whom your wisdom directed and your piety edified, will long cherish, in their tranquil retirement, the memory of their benefactor, their friend, their father; and even when the recollection of your deeds will be lost in the gulf of time, posterity will feel the gentle influence of the establishments which you have erected, and, with grateful feelings, breathe eternal rest to their founder.]

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property had been hitherto invested, liable to serious abuses, and having, in several instances, been the occasion of incalculable mischief, he determined upon making an effort to procure, in an eligible situation, ground upon which a cathedral might be erected; and which should be so invested as to guard against such evils as arose in the administration of the old church. A very fine lot, in one of the best parts of the city, was purchased, and the necessary securities given for the payment. Mr. Cooper having determined upon leaving Augusta, Mr. Corkery was sent thither; and leaving the Rev. Doctor Fenwick, who had consented to remain for some time, together with the Rev. Dr. Gallagher, in Charleston, the bishop proceeded to visit North Carolina. In this large and populous State he found, indeed, the descendants of Catholics, principally Irish, in great numbers, but altogether estranged from the religion of their fathers, of which they had heard extraordinary and libellous accounts; he found comparatively few who adhered to their belief, but who had had no opportunity of its practice. He preached, he explained, when it was necessary, he administered sacraments, and received some converts; but several, who declared themselves convinced of the truth of the Catholic religion, declined being received into the church, upon the ground that it would be useless for them to profess a religion which they could have no opportunity of practising; as the bishop could not say when it was likely they should again see a clergyman. Four months were thus spent, during which the prelate travelled through a considerable portion of his diocess without meeting a priest.

He then proceeded to the more northern states, for the purpose of meeting some of his more experienced brethren, and consulting with them upon the means by which the Catholics might be collected or visited, and a useful clergy procured. Unfortunately, owing to peculiar circumstances, the prelates were not in the habit of meeting; and whilst their opponents, in a variety of ways, had all the advantage of common counsel and united action, the clergy of the American Catholic Church were left to little better than individual and isolated efforts. Without intending to insinuate that this arose from the fault of any one, and abstaining from passing any judgment upon others, or admitting any negligence on his own part, the writer of these pages deeply felt and bitterly lamented the baneful consequences of this state of things. In no church under heaven is the frequent consultation of the clergy, especially of the prelates, more necessary than in the American Catholic Church; in none would it be attended with more happy results; in none has less opportunity of this description been afforded.

The Bishop of Charleston being anxious to procure a clergy for people so greatly destitute, and so exceedingly desirous of its ministry, engaged some priests whom he met unemployed to enter his diocess; some of them appeared for a time to be useful,—but there was scarcely one that he had so received, whose admission he had not cause to regret, and whom he was not under the necessity of requesting to withdraw, and whose departure was not generally attended with considerable expense. Dr. Fenwick having returned to his society, from which he had only departed to supply, for a time, the destitute missions of the south,—Doctor Gallagher having gone to a more southern station, beyond the limits of the diocess,—Mr. Corkery having died, greatly lamented, where he gave every promise of extensive usefulness,—and some of those newly received priests having departed at the suspected approach of sickness, and others for other causes,—after two years from his arrival, the bishop was left nearly alone.

Thus circumstanced, he determined upon embracing the opportunity which presented itself, of opening a good classical school, and enabling some candidates for orders who had applied to him, and whom he found extremely well qualified to communicate knowledge, by teaching therein to earn the means of their support, whilst they should pursue their own studies under his direction. He received great encouragement from the citizens of all denominations; the examinations, and the progress of the pupils, met all the expectations that had been formed, and a bright prospect began to open before him. Calculating upon the continuance of this patronage, he engaged some other assistants at a considerable expense. When his arrangements were nearly completed, and he was made responsible for a heavy expenditure, an unexpected blow struck him to the earth. Some of the sectarian papers, of which there are several in the United States, warned the parents of Protestant children to be careful of their charge, and not to permit them to be seduced. No religious instruction whatever was given in the school to either Catholic or Protestant; the subject of religion was, indeed, never either mentioned or alluded to within the class halls, or on the play-ground; the school was merely one to which the children came for

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classical instruction; and the declaration was now publicly inserted in the papers by the bishop, who was president of the seminary, that the charge of tampering with the religion of the children was altogether unfounded,—and they who made the assertion were challenged to the proof; no attempts were made to sustain it, nor could any such attempt be successful, because the statement was absolutely untrue. But new ground was taken. It was not urged now in print, but the pulpit was brought to bear upon the principle of having the children preserved from religious error; it was whispered in the visits to the family, that the daily habit of intercourse with priests, the feeling of deference to the opinion of their teachers, and a thousand other circumstances, would destroy in the minds of the children that salutary horror they should entertain for the "errors and the deformities of Popery." Also, it was communicated that the persons who sent their children to such a school actually taxed themselves to set up "the Romish Church," in an undeserved elevation; for the money thus given was applied to the creation of priests. A highly respectable committee of some of the most ancient families and wealthy citizens, in the mean time, not only received the contributions of their friends, in addition to their own,—but went round to collect, from house to house, the means of rebuilding and reopening a college for the city of Charleston, which had been closed, and was falling to decay. The clergy of the various denominations united to take this establishment under their patronage, and a grant of confiscated lands to a certain amount was made to it by the legislature of the state. The pupils of the seminary under the bishop, which had with some difficulty been incorporated, now made the best entrances, and took the high honours in the college of the state at Columbia; yet, this notwithstanding, within three months of the opening of this new college in Charleston, upwards of one hundred children were withdrawn from the seminary, and the bishop left with not thirty pupils to meet the heavy engagements into which he had entered, under other auspices. This first created a debt, which, for a considerable time, weighed heavily upon this infant institution. The object of its opponents was in a great measure attained; though not destroyed, it was enfeebled, and the operations of its principal were clogged and embarrassed. They who achieved this defeat, probably imagined they were doing a service to religion and their country. It is for another tribunal, and not for us, to pass judgment upon them. From that period to the present, this seminary continues to afford to the few pupils who are committed to the care of its teachers, the opportunity of a sound, and extensive, and tasteful classical education, as also of a perfect algebraic and an extended mathematical course. Within its walls the present clergy of the diocess, with two exceptions, have received their clerical education from the prelate who ordained them,—and others who are serving in the ministry of other diocesses, have here also imbibed, from the same source, a large portion of that knowledge that fitted them for the stations they occupy.

The small number of priests, and the scattered situation of the flocks, made it necessary to the bishop and his clergy to spend a considerable portion of their time in missions to the various parts of the country; frequently it was necessary to travel one hundred miles to reach the habitation of even one single family, in which two or three communicants would be found, to baptize a child, or to administer the sacrament of confirmation. On those occasions the missionary, upon his arrival in any town or village, was personally waited upon by a few of the citizens, who, whatever might be their religious denomination, invited him to preach, and procured for him either a church, a court-house, a school-room, or some other convenient place. Here he had the opportunity of entering as fully as he pleased into the explanation and vindication of his tenets, and removing misconceptions and prejudices. The ceremonies of the church in the solemn administration of the sacraments, and in offering the holy sacrifice of the Mass, the vestments, the furniture of the altar, its decorations, the language,—all were calculated to produce an impression exceedingly unfavourable to the church, if performed or exhibited without explanation, to a people naturally, and habitually, and reasonably desirous of understanding everything they saw, especially on so important an affair as that of religion. These explanations not only afforded exceedingly convenient topics for the speaker, but elevated religion in the minds of those who now saw solemn, sublime, and salutary lessons of the deepest interest, where they had been led to expect only a sort of ridiculous semblance of magic and superstition, in place of the lessons of the eternal Gospel of the Redeemer.

The kindness, the attention, the hospitality of the citizens, on such occasions, is above all praise. Though they should re-

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spectfully avow their dissent from the doctrines or principles set forth by the missionary, they will not therefore undervalue his understanding, nor imputte to him any unbecoming motive,—and few, if any of them, will use a harsh or an unkind expression. Wherever the writer of this compilation has found language of this sort used, he generally found that it was not spoken by a native of Carolina or of Georgia; more frequently it emanated from one born at the eastern side of the Atlantic. They will honestly and candidly own their change of opinion, the correction of their mistake, the removal of the error under which they labour.

There is, in the American mind, a predisposition to religion; and it will in general be the fault of a clergyman himself, if he be not treated with respect, and frequently with affection. But the persons who cherish this feeling, will not make a blind sacrifice of their understandings at the altar of him whom they most esteem; they require to be convinced of the propriety and necessity of what they are called upon, in the name of religion, to perform; and this conviction is not always easily attained. They who exhibit even the least cultivated portion of this people [as] rough, rude, obtrusive, and troublesome, do not know their character,—nor do they take into account, the difference of national customs, and modes of communicating ideas, or exhibiting respect; they have but one rule for every nation, and they would imitate the cruel tyranny of Procrustes, in forcing the observance of this single iron mode. Every American feels, when he addresses another man, [that] he is, to a certain degree, his equal; he seeks for the recognition of this principle as a right, and perceiving this once granted, his anxiety then will be to make every concession on his part which courtesy and kind feelings would suggest, or superiority of information or peculiarity of station could challenge. In the better educated classes, there exists that polish and urbanity, which is naturally expected from men of this description in every place; but in America there is this additional circumstance, that dignity is not supposed to consist in a cold and repulsive reserve, but in so communicating with others, as to make them aware that, whilst you respect their feelings, you must have your own held equally sacred. Thus, on these missionary excursions, there is ample room afforded for the diffusion of a correct knowledge of our holy religion.

It may not be amiss here to give an outline of the state of society in these three states. It consists, in the first place, of planters, or owners of large landed property, and farmers; these latter are not tenants, holding from superior landlords, but men who are themselves the holders of the land in fee simple, but of more limited means than the planters. Indeed the distinction is merely arbitrary, for the person whom one would call a farmer, will, by another, be considered a planter: as both expressions are used, it was thought proper to explain them. The whole of the land, with scarcely an exception, is occupied by citizens of this description; they are themselves its cultivators: there is scarcely known such a farmer as is found in Ireland, viz.: a man who tills ground for which he pays a yearly rent to the owner of the fee; a very few may perhaps be met with, but the number is so small as not to be taken into account. There is no such being as a middle man. The agricultural labourers are almost exclusively negro slaves, who belong to the owner of the soil; they are not serfs attached to the land, but slaves, who are themselves considered as the complete property of the owner, by whom they have been purchased, or in whose family they were born. They are not imported, for the laws of the United States make it piracy to bring a negro from Africa or any foreign land, into slavery. This has been the case since the year 1808. Besides this, most of the states in which negro slavery exists, prohibit, under exceedingly severe penalties, the introduction of a slave even from a contiguous state. But each state being perfectly sovereign respecting those subjects which have not been specially granted to the general government of the United States, and no power of interfering with the domestic concerns of any state having been thus conceded, the whole jurisdiction respecting the continuation of domestic negro slavery, the management and the emancipation of slaves, remains solely and exclusively in the legislature of each particular state; and neither the general congress, nor the legislature of any other state, has any right or power of interference, directly or indirectly, therein. Some of the states in which slavery existed to a limited extent, have been able gradually to abolish it; others feel that as yet they cannot attempt it; whilst some are deliberating upon the propriety and practicability of the abolition. On this question it may be laid down as a maxim, that no greater moral evil could be brought upon any country than the introduction of slavery; but it is a very different question, whether in a state, which has the misfortune of having been, for a long series of years, under the

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infliction of such a calamity, an immediate or indiscriminate emancipation would be safe, practicable, or beneficial. This is to be decided, not by theory and speculation, but by a close study of the peculiar circumstances of each place, considered in itself. Without entering into any discussion of the question, the writer of these pages would say, that one in which it is more difficult to arrive at a satisfactory practical solution has never presented itself to his mind. He will therefore content himself with stating all that is necessary for his present purpose, and upon which no question can be raised. No one can reasonably look to a very speedy removal of this evil from the southern states of America; yet no labouring people upon the face of the globe have, comparatively speaking, less severe tasks, or greater physical comforts. The general treatment of the negroes in the diocess of Charleston is kind and affectionate; far, very far more so than that of the bulk of Irish, agricultural or other labourers. The owner who would treat his slave unkindly or cruelly, would not be sustained by public opinion, and nothing would sink a man more in public estimation than the character of a cruel master. The extensive planters employ overseers, who superintend their plantations, though the owner himself is generally, as often as he conveniently can, with his overseer, and amongst his slaves. In sickness they have the best medical attendance; and the mistress will not consider that she does her duty, unless she superintends the nurse of her servants, and sees that there is no neglect. It must be conceded, that possibly there is some self-interest urging to all this kindness and attention; yet there is also much genuine benevolence and great affection for their dependants, which renders the ladies of the South more amiable in their discharge of this duty, than they generally receive credit for, from those to whom they are not known. Thus, though the negroes cannot look forward to freedom, yet they know no want, have no fear for dereliction in old age, never anticipate any destitution for their children. He is not broken down by labour, and can easily procure several of the comforts of physical existence; seldom, very seldom will he be under a tyrant, though he must always live under discipline, and be conscious of his inferiority. It is a state of things which should never be created, but which, when existing, cannot be easily removed.

In the cities and towns there are, of course, professional men, most of whom are well educated, and several of whom are owners of plantations; merchants and shopkeepers are persons of the same description as those in Europe; and a large number of them are Europeans: the principal tradesmen or merchants rank perhaps higher than persons of the same occupations do in Europe; but the great bulk of the operatives are either free negroes or slaves: the house servants are, almost without exception, coloured persons, principally slaves.

The slaves in cities and towns are generally at full liberty to join what church they please, but are encouraged to regular habits of attendance, and the galleries of the churches are generally allotted to the free negroes and to them. On the plantations the customs vary; some owners permit the attendance of their slaves at the places of worship in their neighbourhood; some masters will permit one of the negroes to officiate for the others, and sometimes even to preach: some will invite clergymen of one denomination to instruct them, and some will not allow such visits. Upon this subject each owner acts as he thinks proper.

The great body of the slaves are, in one way or other, however, attached either to the Methodists or Baptists; some of them are Presbyterians, fewer still Protestant Episcopalians; and only in the city of Charleston and a few towns, and on a very few plantations, perhaps from eight hundred to a thousand are Roman Catholics; of these latter, the greater number are they who came from Maryland or from St. Domingo, or their descendants. The negroes who arrived from the West Indies, generally speak the Creole French, which, added to the imperfection of their pronunciation, renders it a task of no small difficulty to understand them; they, however, in general, now comprehend English, or as they call it, "American;" but when they attempt to speak it. their phrases, their idiom, and their pronunciation make it more like some one of the dialects of Yorkshire or Cornwall, than the ordinary English language, such as might be learned from Walker, Johnson, or Webster. Several of the Catholic slaves are extremely well instructed, and pious; they are fond of entering little sodalities of devotion, and assembling in the afternoon in the church for prayer and singing; they also have great charity in assisting each other in time of sickness or distress, not only with temporal aid, if it be required, but by spiritual reading, prayer, and consolation: they are exceedingly attentive to have the funeral of an associate respectably attended. and not only to have the offices of the church performed, but to continue the charity of prayer for a considerable time after

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death, for the repose of the souls of their friends.

There are very few Indians within the limits of the diocess of Charleston; the Creeks who dwelt in Georgia having by successive cessions given up their lands, and retired beyond the Chattahoochie into their reserves in Alabama; and the Cherokees being about to retire with the Creeks, also to lands granted them beyond the Mississippi, in exchange for those which they hold in Georgia; no Catholic missionaries have ever been amongst these tribes, as there was never even a sufficient number to administer in the South the sacraments to the Catholics or to meet the calls of the whites who desired instruction. The Presbyterians, Methodists, and Baptists, have several missionaries amongst them; and in many instances have organized small congregations, and undertaken the education of their children, the means being supplied chiefly from the funds placed at the disposal of the American Board of Missions, by the liberality of the several Protestant churches and individuals. These funds are very considerable, and support great numbers of missionaries of the several Protestant denominations not only amongst the Indians, but also to go around amongst the negroes, and even to the whites in the newly settled regions.

Latterly, the Presbyterians, who have several theological schools in the northern states, have one which promises to be well supported in Columbia, S. C. The Baptists and Methodists are also well supported in this respect, and the Protestant Episcopalians are very respectably provided for. From what has been previously shown, the great wealth of the South is in the hands of the members of these denominations—the Catholics are only straggling, scattered and comparatively few; the entire number in the whole diocess is little, if anything over ten thousand souls.

The writer of this memoir would indeed be ungrateful if he did not remark, that whatever the mistakes regarding his religion might be, and whatever the efforts which many of his religious opponents might have considered it their duty to make for the purpose of counteracting his exertions, no person could have experienced more urbanity, hospitality, and respectful attention than he has received in all parts of the diocess, from all descriptions of its population; and in very many instances they who differed widely from him in doctrine and discipline, have afforded to him facilities for the discharge of his religious duties, to a very considerable extent; and in a manner highly gratifying to his feelings and complimentary to himself. Nor is it to himself alone this attention has been paid; scarcely one of the priests whom he has sent upon missions through the country, but has, upon his return, given similar testimony as to his own treatment. After several years experience, after having been in twenty-one states of the Union, in every description of society; in the city and in the forest, from the table of the President to the hut of the Indian; and having proclaimed the doctrines of his church in the halls of legislation, in the courts of justice, in the churches of those who opposed it, in the crowded steamboats of the Mississippi, and in the woods of Kentucky, to every description of hearers, he feels it a solemn duty to declare his conviction, that whatever he may feel to be their doctrinal mistakes, the American people are most religiously disposed, and most inclined of all others that he has met with, to treat with courtesy and kindness every well-conducted clergyman that goes amongst them. They will generally hear him with attention, and if they cannot coincide in his views, their difference will be exhibited without any contumelious expression. Undoubtedly there are exceptions from this general statement; but it will, perhaps, be often found that the fault originated rather on the side of the preacher than that of the hearer. The view, then, which it is desired to give, as a general conclusion, is, that strong prejudices exist against the Catholic religion in several of the states, particularly in the South, by reason of the mistakes as to its tenets and principles; yet that the greatest kindness is shown to its clergy, even by the great bulk of those who labour under these mistakes.

Before quitting this topic, justice demands that another observation should be made. The peculiar situation of these colonies whilst under the British dominion, and of the states since the declaration of their independence, gave little opportunity for the correction of that evil of which there is complaint; their accounts of the Catholic religion were all derived from English sources; and everybody knows what Great Britain has done to misrepresent our religion; the situation and differences and quarrels of the Catholics were often such, as for many years to produce no favourable impression; the clergy who sometimes were allowed to officiate, were, owing to the difficulties of the place, men whose conduct gave no edification. How then could it be expected that those mistakes could be corrected? It would, indeed, be no pleasing task to bring back, even to the memory, the

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recollection of many an afflicting scene. The description should never be written. Under circumstances such as these, great allowances ought to be made; probably the conviction and feeling of the writer will be best conveyed in the language which he had the honour of addressing to the most respectable body before which he had ever the felicity to appear.

"Neither my own feelings, nor my judgment, nor my faith, would dictate to me anything calculated to embitter the feelings of those who differ from me—merely for that difference. My kindest friends, my most intimate acquaintance, they whom I do and ought to esteem and respect, are at variance with my creed; yet it does not and shall not destroy our affections. In me it would be ingratitude; for I must avow, and I do it most willingly, that in my journeys through our states I have been frequently humbled and abashed at the kindness with which I have been treated. I came amongst you a stranger, and I went through your land with many and most serious and unfortunate mistakes, for which you were not blamable, operating to my disadvantage. If a Roman Catholic bishop were, in truth, what he is even now generally supposed to be in various parts of this Union, he should not be permitted to reside amongst you; yet was I received into your houses, enrolled in your families, and profited by your kindness. I have frequently put the question to myself, whether, if I had similar impressions regarding you, I could have acted with the like kindness; and I must own, I frequently doubted that I would. It is true, you laboured under serious mistakes as to what was my religion, and what were my duties and obligations. But you were not yourselves the authors of those mistakes; nor had you within your reach the means of correcting them. I feel grateful to my friends who have afforded me this opportunity of perhaps aiding to do away these impressions; for our affections will be more strong as those mistakes will be corrected; and it must gratify those, who, loving the country, behold us spread through it, to be assured, that we are not those vile beings that have been painted to their imaginations, and which ought not to be allowed existence in any civilized community."*

"I feel that many and serious mistakes are made by my friends in this country. I know who are mistaken, but far be it from me to say that all who err are criminal. I have frequently asked myself, whether, if I had only the same opportunities of knowing the doctrine of my church, and its evidences, that many of them have had, I would be what I now am. Indeed, it would be very extraordinary if I were. They labour under these mistakes, not through their own fault in several instances; and if the Roman Catholic Church were, in her doctrines and practices, what they have been taught she is, I would not be a Roman Catholic. They imagine her to be what she is not, and when they oppose what they believe her to be, it is not to her their opposition is really given."*

Whilst such are the convictions and feelings of him who makes the present exposition, he owes it to truth and to religion, also plainly to say, that owing to those causes, there are serious difficulties, which perpetually impede and harass the Catholic missionary, and which oppress and afflict, and worry the Catholic emigrant. They both have the full protection of an equality of law, but neither of them has the full protection of religious sympathy. As the writer believes that facts always speak better than descriptions, he will mention a few, to convey more clearly the idea he would communicate.

About a year since, the President nominated to office the present Attorney-General of the United States, who is a good practical Catholic. His most virulent opponent could find no vulnerable spot in his character; yet was the chief magistrate of the Union violently assailed by the greater portion of the sectarian presses, for giving office to "a Papist." Transitions from one church to another are of frequent occurrence; and it often happens that the members of one family will profess three or four different religions; this will seldom cause any unkind feeling between them, unless the conversion should be to the Catholic Church; in such a case it will generally happen that the convert must be prepared for the endurance of an unusual trial. There are probably eight weekly, or other periodical publications, belonging to the different sectaries throughout the Union; they will occasionally bicker with each other, but seldom with an acrimonious spirit; yet there are very few that are not habitually virulent against Catholics and their religion. They, on this topic, forget even the ordinary courtesies of polished society, and descend to

* Substance of a discourse preached by the Right Reverend John England, D. D., Bishop of Charleston, in the Chamber of the House of Representatives, in the city of Washington, before the Congress of the United States, on Sunday, January 8th, 1826, [part iv.]

* Ibid.

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the scurrility of nicknames—"Papist"—"Popery"—"Romish"—"Babylon;" and "the tinge of scarlet" is to be found, not upon the cheek of the writer, where it should be, but with all its appendages, in coarse language, before the eye of even his female reader.

It, however, is to be hoped, and indeed expected, from the inquiring character, and the honest purposes of the American mind, that there will be an early termination to this unpleasant and unbecoming conduct, and that after a time, no person will be found to estimate his sanctity by his vulgarity, or to conceive that he is more acceptable to the Creator, as he is more offensive to his creature. In the tracts, which are plentifully distributed, there is too much of this style to pass unnoticed, and the agents of the Bible Society, and the tract distributers, who are exceedingly numerous, are really under the impression that Catholics are idolators, and that Catholics reject the Bible, because they will not purchase or accept as the whole word of God, the imperfect copies from which, what Protestants style the Apocrypha are excluded; nor believe that the translation is good and perfect, nor admit the principle that each single individual is more competent than the united authority of Christendom, to tell what was always from the beginning, the meaning of each and every text of the sacred volume. Time, patience, investigation, charity, and explanation, however, are making their natural improvements in this respect.

From the view that has been given, it cannot be expected that the diocess of Charleston is in a very flourishing condition. After a great variety of difficulties, it is, however, in a state of organization. Some years since, the bishop, and priests, and people, came to a full and explicit understanding as to their respective rights and duties, according to the discipline of the church, and the peculiar circumstances of the place; this was embodied in a written form, denominated the "Constitution of the Roman Catholic Church" of each state contained in the diocess; in it are found such regulations as will, it is trusted, prevent any collision; they have hitherto preserved peace, harmony, and affection. Thus there is no likelihood of a recurrence of those unhappy discords that have done so much evil in this church.

In the city of Charleston there is a fine lot of ground, upon which are some old buildings occupied as a seminary, in which the clergy now in the diocess, have been educated; about four hundred books have been collected, as the commencement of a library; contributions to this are exceedingly desirable. The bishop believes that he has secured that a sufficient supply of good candidates for the ministry can be henceforth supplied, but it is absolutely necessary that there should be some aid for them during their period of preparation and study. This seminary has, during years, been greatly embarrassed by an accumulation of debt and interest, but it has been relieved by the generous contributions of France and Germany. It is necessary to procure a more suitable building for the accommodation of the priests and students; means are wanted for this. There is upon this ground a temporary wooden church as a cathedral; it is eighty feet long, by forty-eight wide; it is desirable to erect a larger building with more solid and permanent materials; two priests officiate in this church, which is called St. Finnbar's, and two in St. Mary's, which is the old brick building previously noticed. The number of communicants last Easter, in both, was upwards of six hundred, several of whom were not originally Catholics. There is also, at a considerable distance from both these churches, a burying ground, the cemetery of St. Patrick, upon which it would be desirable to have a church erected for the accommodation of several who are far removed from the other churches.

A congregation of Sisters of our Lady of Mercy has been formed within three years, and has at present ten sisters, who have made annual vows; they reside near the cathedral, in a house for which they pay a high rent: the object of their institution is, to educate females of the middling classes of society, also to have a school for free coloured girls, and to give religious instruction to female slaves; they will also devote themselves to the service of the sick; and they have been very useful in the management of the seminary. The bishop has also lately purchased, near the cathedral, a house and garden for some Ursuline nuns, who will go with him upon his return. For all these objects, much is needed.

In South Carolina there is also a priest stationed at Columbia, which is the seat of government, 110 miles from Charleston, about the centre of the state; this priest has to perform several laborious journeys on distant missions. A fine brick church has been erected here under the invocation of St. Peter; but it is greatly involved in debt, and the congregation is altogether unable to extricate it from its difficulties; they are nearly altogether Irish settlers. The ground over which the pastor of Co-

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lumbia has been in the habit of travelling, would occupy three missionaries; but they would need aid besides what they could obtain in their districts. All the other religious denominations have several missionaries of this description, whom they support by subscription and contributions. The Catholics are the only religious body who are without this aid.

Two other small wooden churches are in process of erection; one at Barnwell, on the road from Charleston to Augusta, and one on the road from Charleston to Savannah, which are for the accommodation of a number of Irish settlers in these districts, and upon whom it would be exceedingly onerous to support a missionary. There are four or five other places in the state in which small congregations might be formed if the means of erecting small churches and serving them for a time could be had.

In North Carolina, the Catholics of Washington, in Beaufort county, have, by considerable exertion, built a good wooden church under the invocation of St. John the Evangelist. There being not more than eight or ten families that can contribute, they have not been able to finish the interior. A priest officiates for them every alternate month; he spends the other month in the adjoining county of Craven, at Newbern, where there are a few Catholics, a number of whom are converts; they have a fine piece of ground, and some means to erect a church, but cannot commence until they are aided.

In the same state, there is a church at Fayetteville, under the invocation of St. Patrick; the ground and a former church were given by an individual, but the church was destroyed in a conflagration which consumed nearly all the town. The Catholics of several parts of the United States sent subscriptions to help the rebuilding of the church, but they have not been sufficient. The priest who serves the few Catholics here spends a portion of his time upon missions, about 120 miles west of this station, in the counties of Lincoln and Mecklenburg, where there are several Irish Catholics, some of whom are employed in the gold mines. They are anxious to erect a church, but have not the means. There are four or five other stations in this state, where the ministry would be very necessary. Amongst them is the town of Wilmington, the most frequented, as the port upon the Cape Fear River, and probably the principal harbour of this state, to which several Catholics occasionally resort, and which is never without some Catholic inhabitants, generally natives of Ireland.

In Georgia, the congregation at Savannah has had a regular pastor: the number probably amounts to five hundred; their church is old and tottering, and they are endeavouring to raise the funds to erect one better suited to their numbers and their worship. In Augusta, though the congregation is not as numerous as at Savannah, yet their church is far too small; they also have a regular pastor. The congregation at Locust Grove, about sixty miles above Augusta, has greatly increased, chiefly by Irish settlers; their church was, about eight years since, taken down, and a good wooden church of framework erected in place of the original log building. The Legislature of Georgia, at its last session, passed two acts, one incorporating the Catholics in Columbus, a new town laid off on the Chattahoochie river, nearly two hundred miles west of Augusta, in Muscogee county, one of a number of new counties lately oreated, in land ceded by the Creek Indians, about four years since: the other granting them a lot of land in the town, upon which to build their church. The bishop had previously organized them, and advised them to petition for those favours. The few Irish Catholics there have endeavoured to collect the means of raising the building, but have not as yet succeeded. The bishop trusts upon his return, to be able to send a priest to this district. In this region there are a considerable number of Irish Catholics spread through an immense extent, whom a priest endeavours to see once in the year; and the bishop never has had more gratification than in an excursion of two months, doing duty amongst them; separated from each other by fifty or a hundred miles, the families have congregated to the stations where he fixed to meet them, that they might hear his voice, and receive the sacraments. He does not think he goes farther than he is warranted by facts, when he states that in Georgia, six or seven places would require churches, and the attendance of a clergyman. The present number of priests in the diocess is eleven. Three or four students are pursuing their studies, and he has received ten candidates since his arrival in Ireland; so that if he had some pecuniary assistance, he trusts that ere long the forlorn emigrant, who now wanders, far from kindred and country, through this immense tract, seeking for sustenance and settlements, would have at least the opportunity of worshipping, even if it were in the midst of the forest, at the altar of his fathers.

Besides the above view, the writer would add, that during upwards of ten years, he

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and his associates have, at a serious pecuniary loss, not to mention immense labour, published a weekly paper, the *United States Catholic Miscellany*, in which the cause of Ireland at home, and Irishmen abroad, and of the Catholic religion through the world, has been defended to the best of their ability. This paper is published every week on a large sheet of eight pages, containing twenty-four columns of letter press, in the city of Charleston, and has now reached the twelfth volume.

The compiler of this account trusts that they who read it, will feel how meritorious and useful an application of alms it would be, to afford to such a diocess that temporary aid which would enable it to emerge from its difficulties, and in its turn communicate to others from the results of benefits bestowed upon itself.

A BRIEF MEMOIR OF MOTHER MARY CHARLES MOLONY,

FIRST SUPERIORESS OF THE URSULINE CONVENT, IN CHARLESTON, S. C.

[This biographical sketch of the first Superioress of the Ursuline Nuns, of Charleston, now removed from that city, and established at Cincinnati, Ohio, was published as a pamphlet, soon after the death of Mother Mary Charles, A. D. 1839.]

THE subject of this brief memoir was the youngest daughter of Francis Molony, Esq., a large landholder in the county of Cork, and for some time an eminent merchant in the city; and who had been able notwithstanding the cruel and plundering code which stripped so many of the ancient Irish families of their property, unless they would preserve it by the loss of their religion, to retain a portion of the first and to keep the second in its full integrity.

His youngest daughter, Christina, was born on the 17th of September, 1785, in the Castle of Macroom, where her parents then resided. She had nine elder sisters, two of whom, now dead, were married to eminent lawyers. One, at present a widow, married a highly respectable physician; another was married to an extensive planter in Jamaica, where she resided with him for several years, but he having foreseen the occurrences which have since taken place, long before the agitation became serious, disposed of his property and purchased estates in Ireland, where he and his family reside. Another sister called, like herself, to the service of God in the performance of monastic duties, survives her in the convent over which she presided. The others died when young. Of her brothers—two died young. One, who resided in Jamaica and married there, died many years since; another about two years since departed this life, leaving to his family a considerable property in lands in the counties of Cork and of Tipperary. Another survives, who has preferred the shades of retirement to mixing in the bustle of busy life. But there was a period when the writer of this sketch witnessed and appreciated his exertions and sacrifices for the protection of his country, and the defence of his religion. It was that day in which Ireland had the misfortune of being the prey of a triumvirate that sought to blast every hope of freedom for the Catholic, or of prosperity for the land. Lord Manners held the seals, Sir Robert Peel was Chief Secretary, and the Right Hon. William Saurin was Attorney-General. It was decreed to crush every patriot, to put down every public meeting, to silence the press, and to ruin, by aggravated costs and by long imprisonment, every one who dared to publish the misdeeds of an ascendency of oligarchs. And in that evil day Mr. Francis Molony gave largely from his purse, strenuously contributed by his exertions, and exposed himself to persecution for the purpose of defeating the unholy alliance. The efforts of those who, in that time of terror, bore the brunt of the battle, have not been unsuccessful. Great concessions have been obtained, and many who have greatly contributed to achieve the victory, have subsequently withdrawn from posts which no longer needed their exertions. Amongst them was this gentleman, a brief digression for whose services may be allowed to a companion and a friend.

Christina received an excellent education, which was perfected by a residence of several years, as a boarder, under the tuition of the ladies of the Ursuline Convent of the city of Cork—which for a long period

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has borne the reputation of being an excellent house of female education. Her proficiency in this asylum of learning and of virtue, was not merely in worldly lore, and transitory accomplishments, but she was deeply imbued with the true spirit of genuine religion and the solid science of the saints; she had the advantage and happiness of being guided in her practices by a priest of the most simple piety, the best common sense, and exceedingly accurate knowledge of the principles and practice of true devotion: the Very Rev. Robert McCarthy, then Dean of Cork, and previously Rector of the Irish College at Toulouse, whence he had to migrate on foot and nearly destitute of food, into Spain, to escape the fury of the desecrators of liberty and of religion at the period of the first infidel revolution of France.

During some years which elapsed between the completion of her education and her return to the convent as a Postulant, she used his ministry and sought his counsels whenever she was in the city.

She had secretly cherished the desire and hope of consecrating herself to the service of God in a religious state, for years before she openly expressed that desire; she made it the subject of frequent prayer to the Most High, that he would direct her to that state of life in which she could best conform to his will and serve him with fidelity.

Her widowed sister had, after her husband's death, devoted herself almost exclusively to the instruction of the ignorant, and was much occupied in works of mercy to the sick and the poor. These works she performed under the guidance of the brother of her deceased husband, a most zealous, learned, and exemplary prelate, the Right Rev. Florence McCarthy, Rector of the parish of St. Finnbarr and its adjacents, and coadjutor bishop to the venerated Doctor Moylan, then Bishop of Cork. In those duties of charity Christina was frequently her voluntary associate. Thus, without any singular appearance of abstaining from those innocent enjoyments becoming her age and place in society, she was in the habit of cultivating an intimate union with God by secret prayer, of serving him by doing works of mercy, and of sanctifying herself by the use of sacraments.

Previous to her father's death, in the year 1808, she obtained the consent of both her parents to offer herself as a candidate for admission into their order, to the ladies by whom she had been educated; and after the usual probation and noviciate, she pronounced her solemn vows, and received the black veil on the festival of St. Francis Borgia, the 10th of October, in the year 1811.

She looked upon herself as now dead to the world and separated from all its concerns, save whatever charge her superiors might assign to her in that little world which was still to be found within the walls of her monastery, where upwards of sixty young ladies, placed as boarders by their friends to receive the best education. and where about 200 female children of persons in humble circumstances, were daily received in a separate school to be gratuitously instructed in the rudiments of literature, the great truths of religion, and the industrious pursuits so necessary for their sphere of life.

In so large a community as was that of Cork, then having upwards of forty members, the great object of the rule was easily attained, viz., to allow the newly professed sisters abundant time for spiritual exercises; so that by prayer, meditation, study of the holy Scriptures and works of piety, they might, at an early period, make great progress in the science of the saints, and having fully learned to devote themselves unreservedly to the service of God, and to seek in all things his glory and the salvation of souls they might with greater security extend their charity to their neighbour, and love God in those children whom they were to train up in the pursuit of virtue and of eternal life. Sister Mary Charles, as she was now called in religion, entered fully into the spirit of her state, and sought in the will of her superiors to discover the will of her God, and bowed to their directions as to the expressed mandate of her Lord, seeking, by this manifestation of obedience, to become more assimilated to him who was obedient even unto death. From him also she endeavoured to learn meekness and humility of heart.

She not only possessed a great fund of knowledge, but an uncommon facility of imparting it, and was greatly pleased with the occupation of teaching; hence, at a comparatively early period she was placed in charge of the classes. Though her time was greatly occupied—as her regular duties required, between choir and school, generally almost fifteen hours of daily attention—she asked and obtained permission to devote a couple of hours to private study. She was intimately conversant with the French language, and had a good knowledge of the Italian; but she felt a great want, by reason of not having regularly learned the Latin language, and the supply of this became her first object She began methodically, and in a few months she had so perfectly

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overcome every difficulty, that she found as much facility in reading prose or poetry in the old authors, as in reading the English translations. She next extended her reading to several works of science, by means of which she might be better able to direct the studies of her pupils, and give them more ample explanation.

It would not be easy to find in any one community of religious, or association of any description, a greater number of ladies of superior talent, of more cultivated minds, and of more refined taste, than could then be met with in the Ursuline Community of Cork. It was delightful to witness the manner in which they, by a united effort, in a short time extended and multiplied the opportunities for improvement in their schools, and created and sustained in their pupils a generous rivalry without envy, and a desire to succeed, without displeasure at disappointment. The writer has often witnessed it with deep feelings of gratification, and admired the manner in which such a spirit was preserved—and amidst the laborious and happy group whose exertions were crowned with such success, Sister Mary Charles had a conspicuous place.

They who at a distance read the history of Irish transactions, are generally unable to form correct opinions respecting the facts that come under their view. They too often draw their conclusions from circumstances which have as little to do with the state of Ireland as they do with those of China, and which they notwithstanding bring to enter into the case. Thus, it would indeed be a very strange and unbecoming exhibition to behold the sisters of our American convents taking a deep interest in the question whether it would be better policy for the general government to manage its own money concerns, or to have them managed by bankers, and instilling into the minds of their pupils lessons concerning the patriotism of Henry Clay, of Daniel Webster, of General Harrison, of John C. Calhoun. The religious community amongst us, which would so far forget its place, would quickly and deservedly lose the confidence and the esteem of the people. And for this plain reason: they had no concern with party politics; the questions at issue did not specially concern them. In Ireland, at the period about to be brought under view, it was not so.

A partial relaxation of the penal code took place in 1779. The Ursuline community had been privately established in Cork a few years before: the Protestant corporation of that city, filled with a spirit approximating to that which pervades Massachusetts, deliberated upon the project of driving them out;—and it was only by greater efforts at concealment that they were able to remain. A farther relaxation of this nefarious code took place in 1793. In 1799 promises were solemnly made to the Catholics, that if they consented to a union with Great Britain, the remaining portion of this law of persecution should be blotted out. The union was agreed to: the persecution was not only continued, but the bigotry of England and of Scotland was invoked to aid the Orangemen sent to misrepresent Ireland in the Imperial Parliament, and the Irish Protestant-ascendency men were exerting themselves to the utmost to deprive of their seats the few representatives from Ireland, who demanded justice for the Catholics. It was at this period that the Catholics resolved, by a combined effort, not to have recourse to any insurrection, which would be their ruin and the destruction of their country, but to excite the public mind to form a union of moral strength and energy, and to sustain those men who, within the walls of Parliament, claimed from Britain those rights which force, and fraud, and bigotry had combined to withhold from Catholic Ireland. The professor of the Catholic religion was persecuted for adherence to the altars of his fathers, and Ireland was enslaved because she was Catholic. It was the duty of all Irish Catholics, without distinction of sex, or age, or condition, to use their best efforts, in the case of a contest for the representation of a city, or county, or borough in Ireland, to sustain the advocate of their cause, who was also the martyr to their country.

It was at this period that Sir Robert Peel was selected to be one of the chief agents in sacrificing Catholic Ireland to the party of Protestant ascendency:—and never, to the knowledge of the writer of this memoir, did any man sent upon such a mission more strenuously endeavour to fulfil his task!

From one end of Ireland to the other, the Catholics determined to make all sacrifices to prevent the ruin which was impending. And the good daughters of St. Ursula were not backward amidst their brethren. Their ample hall frequently was filled with the crowds of patriots, whom they invited to accompany the leading orators and senators whom they requested to come thither, that from the children entrusted to their care they may, in music, and in song, and in innocent festivity, receive a small portion of that tribute which gratitude delights to pay to the protector of the oppressed, to the friend of his country. The peculiar position of Sister Mary Charles made it her duty to aid in impressing upon the minds of the pupils those facts of history and principles of

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right which not only justified but required the course they were pursuing. In after days, when the battle raged more fiercely, the pupil impressed upon the mind of her brother and of her husband the lessons she had thus learned. The public meetings were graced and animated by the presence of ladies thus well instructed, and fully prepared to influence those men who had to contend for their religion and their rights. The good sisters who imparted such information and inculcated such sentiments, though they lived in the seclusion of the monastery, had no small share in the protection of their church and the regeneration of their country. And to her latest moments of existence, the subject of this memoir felt grateful for the part which she had in this useful occupation.

About the year 1818, upon the request of the Archbishop of Cashel and the Ursuline community of Thurles, in the county of Tipperary, two sisters were sent from the house in Cork, to impart the improvements that had been introduced, and which gave celebrity to their schools. On this occasion Sister Mary Charles accompanied thither Sister Mary Ursula (Mrs. Young), a lady of untiring zeal, great talent, and eminent virtue. This latter sister was the compiler of a catechism of Irish history, then taught to the pupils, and which was the cause of great displeasure to the party of the ascendency, for it was written in a style provokingly wicked in their view, because, in her usual manner of conveying as much knowledge of facts as possible in plain language, suitable to the capacity of children, it did indeed tell a great deal more truth than it was fashionable to print, or gratifying to the persecutors to have published. Some persons did the writer of this memoir the honour of attributing it to his pen, and a prosecution was contemplated. It was also brought under view of the Imperial Parliament; and a dissenting clergyman deliberately swore before a committee of the house that it was compiled by him.

This sister subsequently compiled a history of the United Kingdoms of Great Britain and Ireland, which is used in the schools of the monastery, and extensively read at the other side of the Atlantic. The object was to restore to history its proper place, and not to have it debased to be the vehicle of calumny against Catholics.

After remaining a couple of years at the convent of Thurles, the two sisters returned to Cork, gratified at witnessing the beneficial results of their sojourn, and carrying with them the gratitude of their sisters and of the archbishop.

The regularity of her conduct, her judgment and piety, pointed out Sister Mary Charles, after her return, as well calculated to lead novices into the paths of perfection; and she for some years fulfilled the duties of this arduous office equally to the satisfaction of the superiors of the community, as of those over whom she was in charge; and whilst she won their hearts to God, she infused into them that spirit of holy zeal which warmed them to the desire of spending and being spent for the sake of God, and cheered them in their trials.

She had also opportunities of exhibiting to them in her own conduct a spirit of holy resignation and cheerfulness in suffering; for her health became impaired, and she occasionally endured violent pain, which she said was to her a warning of the transitory state of our present life, and the necessity of being always prepared for a summons to the bar of judgment. She was not known to complain, though she was frequently confined for days, and sometimes weeks, and sought to unite her spirit on such occasions with that of her suffering Saviour.

Her taste for music was exquisite, her knowledge of its theory extensive, and her performance accurate, judicious, and easy; to which was added a voice of sweet tone and extensive compass. She contributed much to the admired performances in the chapel of their convent, in which, it was acknowledged by excellent judges, the music was of a chaste, sublime, and melting character.

Thus gifted, faithful, and useful, had God vouchsafed to grant her a continuance of health, it may be fairly calculated that during a long series of years she would decorate religion and lead many to the service of their Creator. And when application was made for a filiation from the house near Cork, to found a monastery in Charleston, and that it was determined to give a good and efficient colony, she was immediately regarded as one of those from amongst whom its first superior should be selected.

The territory comprised in the two Carolinas and Georgia was in 1820 separated from the see of Baltimore, and placed under the administration of a new see, created in Charleston, suffragan to Baltimore. The newly appointed bishop had long known the value of the Ursuline community to the diocess of Cork, of which he was a priest; and from the moment of his appointment was anxious, if possible, to extend its benefits to his own diocess at the earliest period. But upon his arrival in Charleston he found the new field of his labour in a most desti-

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tute state. There were on the mission only two priests, and they were determined to leave the South as soon as they could: one departed after a few months, the other was kind enough to remain upwards of two years. Difficulty after difficulty was surmounted; and at length, in 1832, the bishop saw the prospect of being able to introduce a colony. He was enabled, by charitable aid from various sources, to purchase the site which he considered most eligible for his object, and then wrote to Ireland to request that he might be favoured with a colony to commence the establishment. The answer gave hope. Having occasion to go to Europe for a variety of purposes, and this amongst others, he was assured that in a short time his request would be granted, though the labours and duties of the community were very great in proportion to their numbers. In 1834, he returned again to Europe; and as no member of the community could be required to go upon another establishment without her own full consent, the ladies thought fit for the Charleston mission were consulted. Sister Mary Charles deferred giving her answer until after she should have consulted with Doctor England. On that occasion she represented to him her fear that, if he consented to her going, he would be disappointed, as she had neither the same vigour of mind or body that he probably might imagine from his former acquaintance with her, and she pointed out others whom she considered better fitted to preside over a new establishment. She had, she said, suffered much of late in her health, but had no reluctance to leave her country, her friends and her community, if she thought she might be more useful in promoting the glory of God in another region,—though she felt herself bound in honour and in conscience to advise him to make a better choice. The bishop stated that he appreciated her motives, knew her qualities, and would be quite happy should she be appointed, and requested that she should leave herself altogether in the hands of the community, believing that God would direct all things for the best. After this she informed the superioress that she was at the disposal of the chapter, to go or to remain, as they might determine; and in a few days the mission was named, viz., Mother Mary Charles, Mrs. Maria Borgia M'Carthy, her niece, daughter of her eldest sister, and Mrs. Mary Antonia Hughes, lately professed, sister to the present Bishop of Gibraltar. They were to be accompanied, at her own request, by Miss H. Woulfe, as a postulant, since professed in Charleston. They left the convent on the 27th of September, and passing a day with the nuns of the Presentation Convent in Cork, where the bishop's sister had long been, they departed from the city on the 29th, and passing through Waterford, to see their sisters of the Ursuline community in that city, they proceeded through Kilkenny and Carlow to Dublin, and thence to Liverpool, where they embarked for Philadelphia; and after visiting the sisters at Emmettsburgh, at Georgetown, and Baltimore, they arrived in Charleston, and entered their monastery on the 10th of December.

Previous to their leaving Ireland, the ladies were fully aware of the cruel treatment their sisters had received from the Protestants of Massachusetts; and the bishop told them that if they felt any reluctance to come to the United States, because of this outrage, he begged they should not consider themselves under any obligations; for much as he desired their aid, he would be far from seeking it at the expense of their feelings. Mother Mary Charles spoke for them, in saying, that when they had devoted themselves to the service of God, they never regarded difficulty or danger in such a way as to turn them from the performance of a duty. Besides that, they had heard that in South Carolina there was less bigotry, more high sense of honour, and a better spirit of chivalry than in Massachusetts; but even were it to Charlestown, instead of Charleston, that they were sent, they would not be deterred by the knowledge that its people had acted a brutal part, and that its public authorities had connived at their delinquency. Her mind was exceedingly firm: the expressions she thus used were the true exhibition of her sentiments, as her whole conduct through life proved; and the writer is persuaded that few women would in the midst of difficulties exhibit more unquailing fortitude, or in the face of danger show more calm and steady courage.

Another exhibition of her character took place in Philadelphia. Bishop Kenrick, to whose generous hospitality during their stay in that city much is due, was himself greatly struck with the fitness of the little colony for the work it had undertaken. He was urgently pressed by some of his clergy and laity, who had opportunities of forming a judgment, and still further confirmed in his opinion by the reports of some highly respectable persons, who had been passengers in the same vessel with the nuns. Thinking only of his own diocess, and urged by the suggestions of others, as well as by his own wishes, he seriously undertook to prevail on the Bishop of Charleston to prefer the welfare of another district to his own, and to

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allow the colony to remain at Philadelphia. When Mother Mary Charles was consulted upon it, her answer was, that she was ready to obey, either by proceeding to Charleston, or by remaining in Philadelphia; for that her object was to perform her duty, in whatever region she might be placed; and that, during the few days of her sojourn on earth, it was to her matter of little concern on what spot of it she was placed, if by the service of God she could, through the merits of her Saviour, obtain a seat in heaven. This disengagement was on her part in the perfect spirit of her state; but the Bishop of Charleston considered that it would be on his part a very wanton betraying of the trust reposed in him, to cast away from the most indigent diocess in the Union the germ of its future fruit, in favour of one possessing the ample resources of Philadelphia.

Soon after the arrival of the colony in Charleston, the Catholics waited upon the little community, to congratulate it upon its arrival, and to tender their services.

Few are aware of the difficulties which necessarily attend the formation of a new religious establishment; but they who do, will feel that much prudence and many other virtues are required in its superioress, even where the other individuals are, as they of Charleston were, deeply imbued with the spirit of their state, zealous for the attainment of their common object, well qualified for their undertaking, and attached to their superior.

She and they prudently determined to keep as much as possible from placing their establishment conspicuously before the public, from attracting attention, or creating expectations—but in the quiet and seclusion of their house, to devote themselves to the care of such children as might be entrusted to their charge. She specially exhorted them and herself, assiduously gave the example, to seek, in a particular manner, for the females who had been most neglected, and to attend to the catechetical instruction of the children. Hence she was generally to be found with the females of colour, and surrounded by the children of every hue who were preparing for their first communion. She preferred this occupation to the teaching of human science, though at the proper time she also well performed her part in giving the instruction or making the examinations in the higher classes of young ladies.

After four months' residence in Charleston, she began to suffer more frequently, and more seriously from sickness, so that indeed she may be said not to have passed a day without more or less of pain. In the intervals of comparative remission she redoubled her efforts, to try and make amends, as she said, for the time that she had lost, and the trouble that she had given.

It was judged necessary after about fifteen months, that one of the community should return to Europe in order to make some arrangements, which could not be so well effected by any other as by one who had by personal observation some knowledge of the American mission. Besides her qualifications, it was also thought that the health of the superioress might be greatly improved, perhaps re-established by the voyage, and as the bishop was obliged to go to Rome, she accompanied him to Liverpool in the month of June, 1836. She visited Dublin, Thurles, Waterford, and Cork, and remained in her convent, near this latter city, until Doctor England returned from Italy, in the early part of November. Her health was far from being improved, and the winter climate of even the South of Ireland was too severe for her; besides, she considered Charleston as her home, and if it was the will of God to call upon her even speedily, she preferred being found at her post by the bearer of the summons.

Accompanied by her sister, whom the Cork community permitted to accompany her, and by a young lady as a postulant, she made a winter voyage across the Atlantic, and after a boisterous and somewhat tedious passage, she landed in New York on the 30th of December, just previous to the severe storms which proved fatal to so many vessels in the first week in January, 1837.

As soon as the weather would permit the packets to put to sea, she proceeded to Charleston, where she arrived before the middle of January, to the great joy of her community and of many others, and immediately devoted herself to the duties of her place.

Hopes were occasionally entertained that the causes of her illness had been removed, but they were frequently dashed by her relapses and her sufferings—under which she always preserved an admirable equanimity, and manifested an edifying spirit of resignation and penance. She regarded them as dispensations of her providential Father, who, she said, knew what was beneficial for her, and would not permit her to be tried beyond the strength which he would kindly bestow, to enable her to endure. We all, she observed, could turn his chastisements to profit, and we all deserved the inflictions of his rod for our offences. If his mercy was extended to us through the merits of his beloved Son, surely it was fit

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that the members should suffer when the head was crowned with thorns; and if his good will substituted affliction in this life for even the sufferings of the purgatory of the next, it was our duty to bow in submission to his decree, and to be grateful for his mercy.

She had the gratification to witness the solid establishment of her house, the progress of the work that she had commenced, and to find the first obstacles to success effectually removed, when she plainly perceived that her labours were soon to end. She requested her physician and attendants to be candid and explicit with her, when they should perceive the first symptoms of approaching death. She resigned herself to the will of God, and to the last did and suffered all that was deemed expedient, to avert the stroke that appeared to impend, or alleviate the suffering she endured.

On Tuesday, the 23d of July, at the hour of Vespers, where commemoration was made of her patroness, St. Christina, the bishop announced to her that her situation had become extremely precarious, and proposed to her to receive the holy viaticum. She received the intelligence with unmoved composure, and requested a few moments for special preparation by prayer. She had previously made her confession, not venturing, as she said, to defer so important a duty to a moment when the weight of sickness, or the confusion of the mind, might render the effort comparatively useless. Everything was prepared; her community were kneeling round her bed, in tears and in prayer; the holy sacrament was on the table, her eyes were fixed upon the image of her crucified Saviour, the attending priest was scarcely intelligible as he essayed to go through the form of confession, or to answer the bishop: the patient observed it, and, in a steady voice went through the form, and made the responses—she addressed a few words to her associates, and requested their prayers and their pardon, for any faults of neglect, or bad example on her part in their regard, and with humble confidence in the merits, in the promises, and in the sacraments of her Saviour, she received the holy eucharist.

A few moments of affecting silent intercourse with Heaven followed. She then requested that extreme unction should not be postponed, and began the form, made the responses, and aided to facilitate its administration.

She then gave herself by an act of perfect oblation into the hands of her Saviour, thanking him for the honour conferred upon her, in permitting her to have a share in beginning the good work commenced in this city, and for permitting her to die in the midst of the community that was to continue it. In a calm, and resigned, and grateful spirit, she prayed through a great portion of the night:—and continued in the same dispositions during the succeeding days.

On Saturday she was thought to be dying; and on its being announced to her, she begged and received from the bishop the last indulgence. She rallied, however, and though her mind occasionally wandered, still the wandering seemed generally to be on the borders of the pathway to heaven, and much of her conversation was with God and his saints.

On Sunday, the 28th, in the full possession of her faculties, surrounded by her dear daughters in Christ, she felt and said that the space now between her and the bar of her God was brief indeed, and she desired that they might pray together as she passed over it.

She noticed the scattering and the loss of her sight,—continued to pray, waxed weaker and more languid,—and it was observed at a quarter before twelve at noon, just after she had been prayed for in the churches, that her soul had passed away.

When some hours afterwards her body, according to the regulations of the order, was dressed in the habit, and in her hands was placed the parchment containing her vows, which she had signed on the day of her solemn religious profession, together with a crucifix, and her head and bust so elevated, as that she appeared only reclining with her hands joined before her breast; every one who saw it observed an extraordinary expression of serene joy upon the countenance, that seemed as if in contemplation of the well-kept vows and of the emblem of redemption.

On Monday the body, now placed in a coffin, was removed to the convent chapel, and in the afternoon, the usual rites had been performed in the presence of her afflicted community and their boarders, together with the Sisters of our Lady of Mercy. It was slowly borne by six gentlemen, deputed from the three churches of the city, to a vault, hermetically closed, under the altar, and there deposited, to await the summons of the archangel.

From what has been written, her character may be easily drawn. Gifted with a fine understanding—she had the benefit of an excellent education, improved by constant and judicious study; there was no display, though uncommon erudition; good sense and a penetrating spirit enabled her

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almost instinctively, to form a proper estimate of character, and to decide correctly in an emergency. She was accustomed to seek advice without sacrificing her judgment, or an over-attachment to her own opinions. Habits of business and untiring industry enabled her to do much in a short time, and in an orderly manner.

Her disposition was generous, her manners affable, her love of the children entrusted to her, boundless, and hence she won their affection, as she was loved and esteemed by others who had the pleasure of her society.

Inured from her childhood to the practice of religion, thoroughly instructed in its truths, still imbibing its lessons as she advanced in life, and exerting herself to reduce them to practice, she was a model to those who approached her, whilst she always discovered in herself and lamented those imperfections which the frailty of our natures exhibit even in those who advance most towards perfection. Her zeal was tempered with discretion, and her hopes were regulated by humility. Her great object was the sanctification of herself, and to aid in bringing others to salvation through Christ Jesus. Taken away in the midst of her usefulness, when it was hoped that during many years we should profit by her presence, she has departed not unhonoured nor unwept. Amongst the many who will weep over her grave and cherish her memory, whilst they offer prayers for her repose, is her venerable mother, now a model of patriarchal piety in the ninety-third year of her age. May her sorrow be alleviated by the hope that but a short time can elapse ere they shall be reunited for eternity, in the enjoyment of their common Redeemer, whose each has endeavoured faithfully to serve in their different walks of life—each in the way that she was called by her Creator!

"Farewell! thy life hath left surviving love
A wealth of records and sweet 'feelings given,'
From sorrow's heart the faintness to remove,
By whispers breathing 'less of earth than heaven.'

"Thus rests thy spirit still on those with whom
Thy step the path of joyous duty trod,
Bidding them make an altar of thy tomb,
Where chasten'd thought may offer praise to God!"

HISTORICAL FRAGMENTS.

DENMARK.

This country is a portion of that large tract formerly known by the name of Scandinavia, and was, about the close of the seventh century, known by its modern appellation.

Hume, who is certainly one of the worst authorities we know, where religion is even incidentally concerned, states, that "the Emperor Charlemagne, though naturally generous and humane, had been induced, by bigotry, to exercise great severities upon the pagan Saxons in Germany, whom he had subdued; and, besides often ravaging their country with fire and sword, he had, in cool blood, decimated all the inhabitants for their revolts, and had obliged them, by the most rigorous edicts, to make a seeming compliance with the Christian doctrines."

Our object, at present, is not to examine critically how many falsehoods are contained in the paragraph which we have quoted, but we distinctly assert that it was neither religion nor bigotry that caused this monarch to exercise those severities upon the pagan Saxons, but their frequent rebellions, or, as Hume calls it, "revolts," and the perpetual guilt of persecution and plunder of Christians in their vicinity, who were his subjects, and whom he was bound by every law, human and divine, to protect. Mr. Hume frequently lays before his readers facts without stating their true cause, and many of his readers take the causes upon his authority as they find the facts generally admitted, and incontrovertible,—thus he is guilty of deceit, not exactly by forging facts, but by misstating their causes and their consequences.

We have read the edicts of Charlemagne, and must say, that we cannot discover one which obliges the pagan Saxons to a seeming or a real compliance with the Christian doctrine; and we are under the impression that such edicts, rigorous or otherwise, cannot be in existence, because we do find others in existence with which they

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would be incompatible. The fact is, many other critics whose sagacity was equal to Hume's, whose information was at least equally accurate, and who, though they differed in religion as much from Charlemagne as did Mr. Hume, had much less virulent bigotry than he had. Reader, do not start, for Hume was a virulent bigot. Bigotry is not confined to one side of a question. Those men give the true cause for the severity, perhaps cruelty of the monarch; "he could place no dependence upon their promises, nor their oaths; and the moment his forces were withdrawn, after the conclusion of a treaty to observe which they had sworn, they were again in arms." How would General Jackson treat such persons? The cases are parallel. Is Jackson a bigot?

Those Saxons retired into Jutland, and the isles at the mouth of the Baltic, and, to use the words of Hume, "meeting there with a people of similar manners, they were readily received amongst them; and they soon stimulated the natives to concur in enterprises which both promised revenge upon the *haughty conqueror*,"—who informed Hume that Charlemagne was *haughty*?—"and afforded subsistence to those numerous inhabitants with which the northern countries were now overburdened."

This was the origin of the Danish invasions. Their first descent upon England was in the year 787. In 794, they made another incursion upon Northumberland. Poor, innocent, harmless beings! Would it not be the excess of bigotry to punish them because they were pagans, particularly as the executioners of vengeance must necessarily be Roman Catholics? In 832, they began more formidable and systematic invasions; and, by Mr. Hume's reasoning, to oppose their burning the country, their rapine, their abuse of women, their enslaving or massacre of men, particularly of nuns or monks, would be unpardonable bigotry. Yet Hume calls them *pirates*.

It was no easy matter to convert this people; yet, with God's assistance, their conversion was effected—not by rigorous edicts, but by mild and apostolic preaching.

In the year 822, St. Adelard, Abbot of Old Corbie, and cousin-german of Charlemagne, founded the abbey of New Corbie, otherwise, Corwey, upon the Weser, about nine miles from the city of Paderborn, and established very regular discipline therein. Amongst the monks who came hither from Old Corbie in France, was one named Anscharius, called by the Germans Sharies, and by the French Ansgar. He was sent with a number of missionaries into Jutland and other parts of Scandinavia, and their preaching was eminently successful. They were favoured by Harold, a prince of Denmark, who had been baptized in the court of Louis Debonnaire. In 832, Anscharius was made Archbishop of Hamburg, and Legate Apostolic, by Pope Gregory IV. In 845, the Normans and Danes, in an irruption, burned the city of Hamburg, and in 849, the see of Bremen becoming vacant, the Pope united that of Hamburg thereto, and made St. Anscharius, archbishop of the union. The more northern regions having relapsed into idolatry, the saint made new efforts for their conversion, which were more permanently successful. He was greatly aided by the exertions of Ebbo, Archbishop of Rheims. The first bishop of Bremen was St. Wilchad, an Englishman, a native of Northumberland, who was the first Christian missionary that passed the Elbe. He died in 789 or 790.

St. Rembert, a native of Flanders, in the vicinity of Bruges, succeeded St. Anscharius in the see of Bremen, in the year 865; he made great progress in spreading the faith in Denmark, and likewise began the conversion of the Sclavi or Vandals, and of the Brandenburghers. He died on the 11th of June, 888.

King Eric I. was baptized in 826. One of his successors, Swein, or Sweno II., apostatized, but his successor Knut, or Canute II., surnamed the Great, who succeeded Edmond Ironside also in the throne of England in 1017, became a Catholic. In his reign many of his followers embraced Christianity in England, and many of the English ecclesiastics laboured upon the Danish mission. Amongst these latter was St. William, who had been chaplain to Canute, and was afterwards bishop of Roschild, in the isle of Zealand. Upon the death of Canute, he was succeeded in his Danish dominions by his son Swein, whom the bishop had more than once to reprove for his choler and injustice, but who, entering into himself, was subsequently not only religious, but greatly useful in the propagation of the faith. St. William and he both died and were buried in Roschild, in the year 1067.

About two centuries later, St. Hyacinth, a member of the illustrious house of the counts of Oldrovens, one of the most noble in Silesia, son of Count Konski, and born in the castle of Saxony, in 1185, and who was also one of the first members of the Dominican order, having received the habit from St. Dominic himself in Rome, in the month of March, 1218, was a zealous apostle of this nation. The faith flourished therein, from its first planting and increase, as has

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been mentioned, until the anarchy and divisions of the sixteenth century.

In the year 1518, Christiern II. was King of Denmark; he was a tyrannical, ambitious, unprincipled monarch, and particularly aimed at getting possession of the crown of Sweden. Stenon, the Swedish king, suspected the archbishop of Upsal and other prelates of his dominions of being favourable to the views of Christiern, who in the next year invaded Sweden and got possession of the throne. His cruelties were excessive. This man added hypocrisy and sacrilege to his murders and usurpations. Driven from Stockholm, the Danish king no longer concealed his sentiments, but made open profession of his attachment to the Lutheran cause: he was rejected by Denmark, his uncle Frederic, the Duke of Holstein, having been raised to the throne. Christiern took refuge in Holland, whence he returned with an army to regain the throne, in 1531; but being defeated and taken, he was cast into prison, where he died in the year 1559. Stenon having died in 1520, of a wound received in battle, Gustavus, the son of Eric Vasa, was chosen king of Sweden.

In Denmark, the new monarch, Frederic, introduced Lutheranism, and proscribed and persecuted the Catholics. He died in 1535, and was succeeded by his son, Christiern III., a good and moderate king, with the exception of his following the example of his father in the attempts of eradicating the Catholic religion by violence. Having founded a college at Copenhagen, and greatly encouraged learning, he died in 1559, and was succeeded by Frederic II. Very few of the inhabitants preserved their faith, and the number of clergymen were almost brought to nothing; the stragglers who lay hid in the country could seldom be discovered.

Somewhat more than a century later, an eminent Danish gentleman named Nicholas Stenon, who was born in Copenhagen, in the year 1638, was famous in Italy for his knowledge, particularly in medicine and anatomy. He resided at the court of the Grand Duke of Tuscany, in the year 1670. His parents had been Lutherans, and he was himself educated in that sect, and imbibed the strongest prejudices against Catholics; but finding by his intercourse with them, and his closer reading and accurate observation, that his notions of their belief and practice were altogether erroneous, his prejudices yielded to his judgment, and he some time afterwards became a Roman Catholic. Christian V., successor of Frederic III., was then king of Denmark, and being zealous for the improvement of the college of Copenhagen, he insisted upon the return thither of Mr. Stenon, to fill the chair of anatomy, promising that he should be undisturbed on the score of religion. Mr. Stenon went thither, but soon found that public prejudice was more powerful than the protection of a monarch. He returned into Italy, and, in the year 1677, he was consecrated bishop of Titiopolis, *in partibus*, and appointed by Innocent XI. Vicar Apostolic of the northwest of Europe. His principal residence was at Hamburg. He died at Schwerin in Mecklenburgh, on the 24th of November, 1686, after having effected much good. He paid as much attention as his means would admit, or their wants required, to the few Catholics that were still found in his native country, and it is only in the same way they have been as yet looked after, though their numbers are now greatly increased and the profession of their religion is in a great degree sanctioned.

The total population of Denmark is stated at present at 1,565,000, of whom the Catholics are upwards of 60,000, perhaps 65,000. But as the religion is now and has been of late, making considerable progress, the number at present is much greater than formerly.

SWEDEN.

This large tract of country was but little known, and we believe thinly inhabited, at the commencement of the Christian era. All to the north of Germany was, we may say, undiscovered, certainly unexplored,—and it was not until the arms of Charlemagne had struck terror into the northern barbarians, that it was safe to go amongst them.

In our account of Denmark, we stated the elevation of St. Anscharius to the See of Bremen, and to legatine authority. About the year 830, the King of Sweden sent to Louis Debonnaire for missionaries to preach Christianity amongst his subjects. St. Anscharius, then a monk at New Corbie, and Vitmar, another of the same house, were selected for that purpose, and had books

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and ornaments to present from the emperor to the king. Anscharius had been previously in Denmark, where he had planted the faith. On their voyage, they were plundered by pirates, and arrived quite destitute at Biorc, then the capital of Sweden, and the principal harbour and royal residence. Upsal was, at that time, a considerable city; but its site was much nearer to where Stockholm now is, than to where the present city of Upsal is built. Biorc is described as being situated upon an island two days' sail from Upsal; and we suppose it must be that island which is now called Waxholm, at the mouth of Lake Melar. Being received kindly by the king, they preached with great success, and found a considerable number of Christian slaves, who were delighted at the opportunity of receiving the sacraments, of which they had long been deprived. Herigar, governor of the capital, an intimate friend of the monarch, was converted at an early period, and greatly aided their exertions.

Anscharius, when raised to the See of Bremen, about the year 850, sent missionaries to revive the spirit which had, during some years, slumbered in Sweden; and then, by his own presence, roused it to energy and activity. The good work was continued by his successor, St. Rembert.

Again, in or about the year 925, Hunni, Archbishop of Bremen, arriving at Birca, which we suppose to be the same as Biorc, found but one priest remaining in Sweden; and during the short and bloody reigns of the monarchs in the preceding sixty years, religion had been nearly forgotten; he died during his apostolic labours in that country, and was succeeded in the archbishopric of Bremen by St. Adaldagus, who filled that see during fifty-four years, and greatly promoted the conversion of the Swedes, and established some sees amongst them. Odincar, the elder, a religious Dane, and his nephew, of the same name, Bishop of Ripa, in Jutland, and one of the royal race of Denmark, who was consecrated by Libentius, Archbishop of Bremen, about the year 1000, laboured much also in the conversion of Sweden.

Nearly sixty years before the arrival of Bishop Odincar, King Olas Scobcong had requested the British King Edred to procure some missionaries for Sweden. Sigefride, an eminent priest of York, in England, undertook the task; and on the 21st of June, 950, he arrived at Wexio, in the territory of Smaland, in Gothland. Twelve of the principal inhabitants of this district were his first converts. St. Sigefride had received episcopal consecration before his arrival in Sweden, and ample missionary powers, by virtue of which he was enabled to erect new sees, and to fill them. He erected the sees of Lingkopping in West Gothland, and Skara in East Gothland. He then appointed his nephew Uduman, to take charge of his see of Wexio, and went farther north; he baptized King Olas, and his household, and his army, established the see of Strengues, and restored that of Upsal, which had been founded by St. Anscharius. During his absence from Wexio, the idolaters plundered the church, and murdered Uduman and his two brothers, Sunaman a deacon, and Wiamar a sub-deacon. St. Sigefride having returned to Wexio, prevailed on the king to spare the lives of the murderers, and refused to accept a fine which was levied upon them; and having re-established his church, he died, and was buried in his cathedral in the year 1002.

The faith was propagated in another part of Sweden, soon after, by St. Eskill, an Englishman, who was consecrated Bishop of Nordhans Kogh, and martyred by the pagans at Strengis. Adelbert, Archbishop of Bremen, and Sweyn II., King of Denmark, did much in this century to extend the reign of truth in Sweden.

In the year 1148, St. Henry, an Englishman, who had laboured strenuously on the Swedish and other northern missions, together with his countryman, Cardinal Nicholas Breakspear, apostolic legate, and afterwards Pope Adrian IV., did much to confirm and to establish the faith.

Upsal was raised to the dignity of an archbishopric during the incumbency of Stephen, its sixth bishop and first archbishop; and in 1160, Pope Alexander III. created the archbishop of that see metropolitan and primate of the Swedish church. We may, at this period, consider Sweden as fully converted.

In the year 1517, the persons commissioned by the Pope to preach up indulgences for the contribution towards building the Church of St. Peter's in Rome, were guilty of great excesses and extortions in Sweden. Angus Arcemboldi, legate of the north, was the chief commissioner there, and had the sanction of Stenon, administrator, claiming to be King of Sweden. In an interview with that ruler, the legate attempted to reconcile him to Gustavus Troil, Archbishop of Upsal; but Stenon gave him sufficient reasons to justify his distrust in Gustavus, and showed the probability of this prelate's holding an improper correspondence with Christiern II. of Denmark, well known by the appellation of *the Nero of the North*, and who wished to confirm his

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authority in Sweden. The Danish King having manifested his hostility, Stenon had the Primate of Upsal tried by the senate, and being convicted, he was deprived of his revenues, and confined in a monastery. The prelate had privately made an appeal to Rome, in which he stated his case to be one of great hardship. Arcemboldi was instructed to demand his release and restitution. Stenon and the senate refused; upon which Leo X. placed Sweden under an interdict, and excommunicated Stenon and the senate. The Archbishop of Lunden, in Holstein, and the Bishop of Odensea, were charged with the execution; and Christiern of Denmark, who hypocritically appeared to be still a Catholic, though in truth a Lutheran, was requested to aid them. Stenon now seized upon the money which had been collected for Arcemboldi, and a new excommunication followed; and Christiern, who longed for the opportunity, entered Sweden at the head of his army. Stenon died fighting at the head of his troops. Christiern got possession of the capital. The archbishop was released and reinstated in his revenues. The bloody Christiern treacherously seized upon and put to death in one day, at an entertainment where all appeared to be peace and amity, the principal lords of Sweden. He then, at the instigation of the Primate of Upsal, required the two prelate commissioners to investigate the proceedings under which the primate had been originally punished; but, as their proceedings were too slow, he, of his own authority, condemned and executed ninety-six senators who survived, and amongst whom were the Bishops of Strenignen and Skara. The Prior of St. John of Jerusalem, who had manifested most patriotism, was fastened to a St. Andrew's Cross, and embowelled, and his heart torn out; the bodies were then ranged in a line, and all the heads raised on spears,—after which, the soldiers were let loose upon the populace; next day, an amnesty was published, but violated as soon as the people made their appearance. Christiern then invited to a conference six bishops who had refused to assist at his Swedish coronation; and they, imagining that peace was at length to be given, met him,—they were seized upon and burned. This caused so general an insurrection, that the tyrant fled. Having left Sweden, he made open profession of Lutheranism.

Olaus Petri had already introduced the novel doctrines amongst the Swedes. Gustavus, the son of Eric Vasa, Duke of Gripsholm, had, after a variety of difficulties and extraordinary escapes, found, amongst the hardy miners of Dalecarlia, a patriotic spirit; he began the liberation of his country with this little band; his standard soon floated victorious, and overshadowed multiplied thousands. Gustavus Ericson, or Vasa, was chosen king; he wanted money; Olaus informed him, that, according to the Lutheran principles, it was lawful to take away what was possessed by the monasteries, and to reduce the income of the parish churches. Gustavus, who had, during his captivity in Denmark, been predisposed to this new system, began to pave the way for carrying it into execution,—but met considerable opposition from the few bishops that still remained in Sweden; thenceforward, Gustavus encouraged the Lutheran preachers.

Pope Adrian VI. sent, as his legate to Gustavus, John Magni, an eminent and highly informed Swedish ecclesiastic; the king received him kindly, and prevailed upon him to accept the primacy which was now vacant, by the degradation and banishment of the late unprincipled incumbent. The new primate soon perceived the true object at which the king aimed, for it had been proposed to him to convoke a synod, and to establish the Lutheran doctrine. The primate was not a man to betray his charge, but he saw he could not avert the storm; he, therefore, returned to Rome.

In the year 1527, the king assembled the senate at Upsal, and subsequently at Arosen; at which meeting he declared, that, unless they abolished the religion and the supremacy of the Roman See, he would abdicate: and that the revenues of the state demanded the confiscation of the church-lands and property. Though a considerable portion of the legislature was composed of Roman Catholics, they were awed into acquiescence to his demands. He still left what he called liberty of conscience. The spirit of Dalecarlia was still unbroken; and this brave people, being all Roman Catholics, they took up arms to oppose the invasion of their rights of conscience, and the plunder of the property consecrated to the support of their pastors, by him whom they had borne on their shoulders to victory, and to a throne. Gustavus, after having subdued them, treated the Dalecarlians in the most severe and cruel manner, because they did not choose to change their religion.

In 1542, the king procured from the General Assembly the nomination of his son Eric as his successor, and the regulation that the crown should be hereditary; he also caused them to swear to the maintenance of Lutheranism, without tolerating any other religion.

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He had previously ran through the provinces at the head of a large body of cavalry, extirpating Catholicity.

The Lutheranism which he established, has, in its external appearance and discipline, more affinity to the Catholic religion than any other sort of the new system. There are archbishops, bishops, priests, and deacons; their liturgy very much resembles that of Rome, and they have confession and absolution, and penance, but the confession is not always private.

Eric XIV. succeeded, upon the death of his father, Gustavus, in 1560, but his conduct was that of a madman; he was deposed in 1568, for a variety of cruelties, and his attempt at raising Catherine, one of his concubines, who had been a fruit-girl in Stockholm, to the dignity of queen.

His brother, John III., was chosen to succeed him. He was married to Catherine, of the Jaggelon family, daughter to Sigismund, King of Poland. This queen was a Roman Catholic, and her husband having made a profession of that faith, in presence of Father Possevin, a Jesuit, was desirous of having his dominions reconciled to the Holy See. For this purpose, he sent Pontus de la Gardie to Rome, with proposals of reunion; but the Swedish nobility gave their decided opposition to the measure, though many of the clergy had manifested their anxiety to co-operate with the king. Though the project was unsuccessful, a number of priests gained admittance into Sweden, and were able to console and to administer to the scattered members of the church who were in the country. The queen died, leaving only one son, Sigismund, who adhered to the religion of his parents, and obtained the crown of Poland; though he lost that of Sweden, on account of his religion, through the intrigues of his uncle, Charles IV., son of Gustavus, who procured the deposition of Sigismund, and his own appointment, under the title of Charles IX. He is mentioned in high terms of commendation, by some of the early Protestant writers, for having, through religious zeal, supplanted his nephew and usurped his throne.

Christina succeeded her father, the renowned Gustavus Adolphus, the head of the Protestant League, upon his death in 1654, and the twenty-eighth of her age. This extraordinary woman resigned her throne, and abjured the religion she had previously professed, embracing the doctrines of the Catholic Church. Hitherto, the renowned and learned daughter of the great Gustavus had been the object of admiration and of eulogy, the pride of the North; but now, the most scrutinizing criticism pried into all her conduct, and doubts as to whether she were really a great woman began to be entertained; and it was stated, ay, seriously stated, that it was not because she believed in the truth of those doctrines, to profess which she renounced a throne, that she changed her religion, but because "the austere manners and narrow acquisitions of the Swedish clergy were not likely to have attached her to their opinions; and they certainly were little able to vie in her estimation with the splendid and courtly dignitaries of the Romish Church." But, the historiographer, from whom we have made the quotation, has, in his zeal against the Romish religion, overlooked the fact that the Queen of Sweden, at the time of her conversion, had not an opportunity of seeing and conversing with those splendid and courtly dignitaries whom she subsequently met in the polished and literary circles of the South: for in Sweden there were then but a few obscure and indigent Catholic clergymen, who had renounced the pomp of the world, and exposed themselves to affliction, that they might comfort a persecuted flock. It is true, the attainments of the Swedish Lutheran clergy were never great.

Christina travelled into France, Italy, and Germany, spending much of her time in Rome. Upon the death of Charles Gustavus X., the cousin of Christina, to whom she had resigned the throne, her finances being embarrassed, she in 1660 went into Sweden to obtain payments, but was very badly received by her former subjects; they refused her incomes, pulled down her chapel, and some Italian clergymen who accompanied her were insulted, and exposed to imminent danger. The states required a repetition of her act of renunciation, before they would suffer her to receive her revenue: and she then bade a final adieu to her country, and died in Rome in 1689.

Charles XI., who succeeded his father, Charles X., was one of the most stern, arbitrary, and despotic monarchs. He published an edict, forbidding the exercise of any religion but that of Luther, in Sweden, about the year 1690. This caused great dissatisfaction, for at that period numbers of other sectaries were in several parts of his kingdom, who disliked the Lutheran mode nearly as much as they did the Catholic religion.

The events of the last century, in this country, have nothing to do with the religious view which it is our object to give. In the year 1810, the then reigning monarch

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was forced to a resignation, and Bernadotte, who rose from the lowest ranks of the army to be a general officer and marshal in the revolutionary service of France, upon obtaining the throne, changed his name and his religion. He was crowned by the name of Charles John, and having abjured the Roman Catholic faith, he professed Lutheranism.

The present Swedish dominions contain nearly three millions of inhabitants, of which the principal portion are Lutherans. From the documents we have seen, we believe they may be estimated as follows:

Lutherans, ...	2,250,000
Other Protestants, . .	450,000
Roman Catholics, . .	80,000
	2,780,000
Add to these the inhabitants of Lapland, who are mostly pagans, estimated at	60,000
Total population, . .	2,840,000

NORWAY.

Norway was part of Scandinavia. About seventy years before the Christian era, Odin or Wodan, a Scythian chieftain from the borders of the Palus Mœotis, came into Scandinavia and subdued the aborigines. His wife was Frigga or Freia, and the most valiant of his sons was Thor. Subsequently they were considered as the three principal deities of the North; and as the Orkneys, the Shetland, and Faroe Islands, together with Iceland and part of Scotland, came under their dominion, their mythology diffused itself through those regions. The Danes, who had possession of England, had, before their conversion to Christianity, the same doctrines and deities as the Norwegians. The Romans had introduced their mythology too into Britain, and the Saxons had a blending of the observances of the North and South, previously to their conversion.

The days of the week derived their appellations from the deities. Sunday was sacred to Apollo or the sun, Monday to Diana or the moon, Tuesday to Mars, amongst the Romans, but the Northerns took the liberty of changing the name to suit the appellation of that of their own favourite, Tsycne, one of the sons of Wodan; Mercury was dispossessed of his day, in order to leave room for Odin or Wodan, who thus got Wednesday; Jove was obliged to give up his day to the superior claims of Thor; and as the next day was sacred to Venus, this Grecian lady was forced to yield to the superior claims of Freia, the beauty of the North; and Saturn was permitted to retain quiet possession of his own day.

We have been led to this little digression from noticing the state of Norwegian mythology in the early days of Christianity. From what has appeared in our last numbers, our readers must see that the faith was considerably spread in the kingdoms of Denmark and Sweden, in the ninth century. Persecution in one place has usually been the cause of its establishment in other places, especially in the first ages. Such was the case in Scandinavia.

About the year 915, Gourm, King of Denmark was violent and inexorable in the persecution of the Christians in his dominions; his object was to extirpate the professors of the religion of our Lord. There were many martyrs, but many also fled, and carried with them the doctrines of salvation. Some of the fugitives going into Norway, first brought the light of faith into those darkened regions, and warmed the hearts of a benumbed people into gratitude to heaven.

The missionaries sent by St. Adaldagus in this age, also aided in the great work, in that part of Norway which borders upon Sweden, where they were more occupied.

Harold, King of Denmark, procured many missionaries for the North, a few of whom penetrated into Norway. After this martyrdom, his sovereign, who had raised the infidels in rebellion, was subdued by Eric in Sweden: and one of the consequences of an application to Eric by Poppo, the Bishop of Sleswick, was the facility and encouragement afforded for following up the northern missions.

The state of Norway had been hitherto unsettled; but about the year 1020, the independence and integrity of the kingdom were established. Olaus or Olave, son of Herald Granscius, Prince of Westfold, in Norway, by his wife Asta, daughter of Gulbrand Kuta, the Governor of Gulbrand's Dale or Valley, sailed for England in the year 1013. Norway was then, and had been for some time, annoyed and partitioned by Sweno, King of Denmark, Olave Scot

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Konung, son of Eric, King of Sweden, and Eric, son of Hacon, Earl of Norway. At the time of leaving his country Olave was a Christian, and formed the design of having Norway freed from the oppression of foreigners, and the darkness of paganism. He assisted King Ethelred against the Danes, after the death of Sweno, and thus emancipated his countrymen from their oppression. He next waged war against Olaus Scot Konung, who had succeeded his father upon the throne of Sweden; and having obtained exemption of the Norwegian territory from the future aggressions and incursions of Sweden, he married the daughter of the Swedish monarch, who was also a Christian, and by a domestic regulation with the earl, he became monarch of Norway.

Previous to his leaving England he procured a number of zealous missionaries, whom he brought with him—one of them, Grimkele, was consecrated Bishop of Drontheim. The laws of Norway were revised and amended, and civilization began to spread itself, together with Christianity, and both were also communicated to Iceland and the islands.

Olave is honoured as a saint in the Roman Catholic Church; his acts were those of a wise potentate, and a man of pure religion. He used his utmost exertions to extirpate idolatry, but this so exasperated the adherents to paganism that they took up arms, and, being assisted by Canute of Denmark, they overcame him. Olaus took refuge with his father-in-law, who aided him with troops to recover his throne, but he was slain at Stickstadt, north of Drontheim, on the 29th of July, 1028.

After some commotions, Hackin, whom Canute made Viceroy of Norway, being drowned, and Sweno, the son of Canute, and viceroy after his cousin Hackin, having fled from Norway, Harold, the brother of St. Olaus, persecuted the Christians, and encouraged the pagans. Many suffered martyrdom under him; Adalbert, Archbishop of Bremen, finally prevailed on him to desist. But in 1035, Magnus, the son of Olave, being of age, was called out of Russia, where he had taken refuge, and placed upon the Norwegian throne; he rebuilt the Cathedral of Drontheim in such a style of magnificence, as to be considered the pride of the North; it was dedicated under the invocation of his father. whose shrine was richly ornamented. This prince did much for the propagation of the faith.

Nicholas Breakspear, who was afterwards Pope Adrian IV., was, together with some others of his countrymen, employed upon the northern missions, particularly in Norway, of which he is often called the apostle, about the year 1140. Pope Eugenius III., in approbation of his zeal and success, created him Cardinal and Bishop of Alba; and in the next century St. Hyacinth, one of the first Dominican friars, preached in that country with great fruit, about a century after it had been the theatre of Cardinal Breakspear's exertions.

We are not aware of any particular facts that accompanied the change of religion in Norway, in the sixteenth century, which would require special notice in such a summary as we give. Placed between Sweden, Denmark, and Scotland, where what was called Reformation was carried on in a style of masterly severity, persecuting all who would not conform to the new tenets, and sometimes bowed under the yoke of Denmark, sometimes under that of Sweden, the Church of Norway was destroyed towards the middle of that century, and Lutheranism was upheld and protected. Some Catholics still were to be found in Norway, and some other descriptions of Protestants, but Lutheranism was, and is, the dominant sect.

ESTIMATE.

Lutherans, . . .	700,000
Other Protestants, . .	200,000
Roman Catholics, . .	30,000
Pagans, ...	30,000
	960,000

Iceland was converted to the Catholic faith, principally in the thirteenth century, and the professors of that faith were persecuted into a conformity with the Norwegian and Danish changes, and left without Roman Catholic clergymen, in the commencement of the seventeenth century.

The Faroe Islands were converted earlier to the faith, and retained it longer than Iceland; we scarcely know how to characterize the religion of either at present. In both portions the number of Catholics is inconsiderable, not exceeding 5,000; the other sects calling themselves Christians, about 20,000; and pagans, upwards of 20,000. Very little exertion is at present made to communicate instruction to those people.

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RUSSIA.

SECTION I.

This vast country contains the principal portion of the ancient Sarmatia, Scythia, and part of what was Scandinavia. The Tartars and Muscovites, in latter times, were the principal occupants of these extensive territories; and, in the intermediate period, after the emigrations of the Goths and Vandals, the Sclavi, the Russi, the Hunni, the Turci, and various other tribes, extended themselves more or less through these undefined regions. Russia extends through Europe and Asia, and comprises a portion of America. To enter, specially upon the sketch of each part, and combining their outlines to give a view of the entire, is what we shall probably do at a future period. We shall in this number confine ourselves to a very brief and general statement of the establisment of Christianity and its decay in European Russia.

In the seventh and eighth centuries, some knowledge of the Christian religion was obtained by the barbarous tribes above mentioned, from slaves whom they had taken from the civilized nations in some of their incursions, and from fugitives and adventurers from those nations. But very little progress was thus made; some persons, brought to a knowledge of the great mysteries of redemption, were baptized, principally by laymen.

In the beginning of the ninth century, Michael the Stammerer, and his successor, Theophilus, iconoclasts and emperors of the East, persecuted the Catholics, especially the holy Patriarchs of Constantinople, Saints Nicephorus and Methodius. Theodora, the widow of Theophilus, administered during the minority of her son Michael III., whom she educated in the Roman Catholic faith. About the year 848, the Chazari, who were a tribe of Turci that had migrated from the banks of the Volga, the ancient Dra, sent a solemn embassy to the regent and her son, with a request to have some Christian missionaries procured for them. They were at that time governed by Chagans, or Chams, who had regal authority, and were but one of seven or eight tribes similarly circumstanced.

Theodora applied to St. Ignatius, Patriarch of Constantinople, who sent a number of clergymen under Cyril, a very learned priest, who was surnamed the Philosopher. Cyril's original name was Constantine; he was a native of Thessalonica, noted for his zeal and piety equally as for his learning. Having instructed the nation, baptized the Cham, and organized churches, he returned to Constantinople.

Accompanied by his brother St. Methodius, St. Cyril afterwards preached the faith in several parts of what is now Turkey, and in part of the present Austrian dominions; but from his first mission [under] the authority of St. Ignatius, who held communion with and acknowledged the supremacy of the Pope, the southern part of what is now Russia, received the faith.

From Bulgaria, where the two brothers spread the light of the Gospel, it penetrated into the southwestern parts of the same empire, then held by the Sclavi, who had gone southwards.

In the year 892, Rurick, Sineus, and Tyuwor, three brothers, came by invitation from the Warengi, on the borders of the Baltic, and governed the Russi and Sclavonians in their vicinity. Rurick being the survivor, was sole monarch. He fixed his residence near Lake Lagoda. His son Igor transferred his seat of government to Kiow. Ogla, his wife, surviving him, and going to Constantinople, was instructed in the faith, and was there baptized: though her son Suastoslas died an idolater, yet her grandson Wladimir the Great, embraced Christianity and was baptized; he married Anne, a Grecian princess, and built the city Wladimiria; by his means the truths of the Gospel were made known in another portion of what is now the Russian empire.

The manner in which Olga, who is also called Helena, conducted herself in very delicate circumstances is worthy of notice. Her husband Ihor, or Igor, undertook an expedition against Constantinople, and having been repulsed by the generals of the Emperors, Romanus and Constantine, was slain by the Dreulans upon his retreat: Olga, his widow, then a pagan, revenged his death, subdued the Dreulans, and governed her husband's dominions with great prudence. About the year 945, she being then in peace, went to Constantinople; was instructed and baptized by the name of Helena, leaving the government to her son Suastoslas. After her conversion she returned home, and died in the year 970 Her son never embraced Christianity, but

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his son Wladimir, or, according to others, spelled Volodimir, became a Christian, and obtained in marriage Anne, the sister of the two associated brothers [the] Emperors Basil and Constantine. Nicholas Chrysoberga, the Roman Catholic Patriarch of Constantinople, sent, in 987, a number of clergy under the authority of Michael, whom he appointed their superior, into this country, in which they established the faith and extended considerably the influence of the Gospel. The title of Volodimir was Duke of the Russi. In the year 1156 George, Duke of Russia, built Moscow; and it was only in the year 1552 that Iwan, or John II., took the title of Czar, or King of Muscovy.

That part of Poland which belongs to this empire owes its conversion principally to the zealous labours of St. Adalbert, or Albert, in the first instance.

Adalbert was born in Bohemia in the year 956, and was in baptism called Woytiach, which, in Sclavonian, signifies "Help of the Army." Being placed by his parents under the care of Adalbert, Archbishop of Magdeburg, the greatest care was taken of his education, and the archbishop in confirmation gave him his own name. He was promoted to holy orders in 983 by Diethmar, Bishop of Prague, and in that same year was appointed successor to this same prelate, who died soon after his ordination. He was consecrated by the Archbishop of Mentz. Finding but little fruit from his preaching in Prague, he went to Rome and had his resignation accepted by Pope John XV. in 989, and retired into a monastery; but in 994 the same Pope, at the solicitations of the Archbishop of Mentz, compelled him to resume his see; but with a proviso, that if his exertions there should be fruitless, he might retire whither he would. Profiting of this clause, upon discovering the perfect inutility of his attempts to bring to practical religion, a people who merely listened to and admired him, and were content with the bare and barren profession of the faith, he went to preach to the infidels of Poland and Hungary, and was on terms of friendship with Stephen, king of the latter place, whom he had specially instructed.

Being again ordered by Pope Gregory V. to return to Prague, he was refused admittance by Boleslas, Prince of Bohemia, and a number of his adherents, upon which he retired into Poland, where Miceslas was then duke, and whose son and principal counsellor Boleslas, was a particular friend of Adalbert. This Boleslas, succeeding in his wishes of having the people instructed, saw a vast accession to the Christian church, by the labours of the holy bishop, who was martyred by a body of Prussian infidels, on the 23d of April, 997. Duke Miceslas sent ambassadors to Rome, but he died before their return in 999; he was succeeded by his son Boleslas I., surnamed Chabri or the Great, who became the first King of Poland.

Miceslas, his father, having in 965 embraced the faith upon his marriage with a Christian princess, daughter of Boleslas, Duke of Bohemia, and sister to him who opposed the return of St. Adalbert to Prague, caused the introduction of the Gospel into his dominions, which was fully established under the auspices of the son.

Still further north was a people called Russi or Rutheni, who were some of the most northern European Scythians; they derived their pedigree from the ancient Roxolani mentioned by Strabo and Pliny, as beyond the Boristhynes, near the Gatæ. The word Rosscia in their language, signifies scattering: and they were supposed to be denominated from living not in towns or cities, but scattered over the country. Nations, similarly scattered, were by the Greeks called Spori, or scattered.

About the latter end of the tenth century, a young Saxon nobleman, named Boniface or Bruno, leaving the court of the Emperor Otho III., joined the order of Camaldoli under St. Romuald, and after a long preparation by prayer and retirement and meditation, presented himself to Pope John XVIII., to preach to the infidels; having received the necessary faculties, he was consecrated archbishop of his mission by Taymont, archbishop of Magdeburg, and passing through Prussia, he entered the territory of the Russi, where he made several converts, having endured much persecution and affliction; he baptized one of the kings of that place, and several of his people; soon after which, he was seized upon by the infidels and beheaded, together with eighteen of his companions, in the year 1009; but the faith continued to make considerable progress after his death.

Finland was principally converted by St. Henry, Archbishop of Upsal, in 1151.

In the next century, St. Hyacinth, of the order of St. Dominic, a noble Silesian, of whom we made mention in a former number, extended the faith greatly in Poland, and subsequently passing into Lesser Russia, Moscovy, and the neighbouring nations, he preached with great fruit until the destruction of Kiow by the Tartars, in 1231, when he returned into Poland, where he remained for some time, and then proceeded to join some other members of his

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order, who were sent into Tartary; and thousands having embraced the faith, one of their princes, together with several lords of his nation, attended at the Council of Lateran in 1245. Having penetrated through Tartary nearly to Thibet and the East Indies, he founded in several places Christian churches. Thence coming back to Poland, he again entered Red Russia, where he made many additional converts, and returning to Cracow, died in 1257.

In the year 846, upon the death of St. Methodius, Patriarch of Constantinople, St. Ignatius was raised to that dignity. The Emperor Michael III. was led on, by his favourite uncle Bardas, to the most shameful excesses of profligacy. The holy patriarch remonstrated with him, but in vain; Bardas was, for his criminal habits, driven from the sacraments and excommunicated; his rage led him to threaten to stab Ignatius, but he bethought himself of a less revolting mode of revenge. He persuaded the young monarch that his mother domineered over him and deprived him of his just power—recommended that Ignatius should be ordered to cut off her hair, and that of her three daughters, and have them placed in some monastery. The patriarch, of course, refused to perform so irreligious an act of violence; upon which, by the instigation of Bardas, Michael had his minions to perform the acts of violence, and Ignatius was banished to a monastery in the isle of Terebinthus, where every effort was used to force him to a resignation, which he refused. Photius, a very learned, but very profligate relative of the emperor, was ordained bishop, from being a layman in office at the court, and on the sixth day intruded into the patriarchal chair, on Christmas day, 858. A synod of bishops met in Constantinople, and excommunicated Photius, who also proceeded against them, not merely with a similar form, but by force of arms, and the aid of Bardas. We do not here find it necessary to dwell upon facts which shall hereafter be particularized; suffice it to say, that after the unravelling of much deceit, Photius was excommunicated by Rome, which he had endeavoured to deceive; and in return, in the year 866, by the aid of the emperor, he held a sort of council at Constantinople, in which he excommunicated and pronounced sentence of deposition against Pope Nicholas, and thus commenced the Greek schism. Bardas was put to death in that year by the emperor, for conspiring against his life; and in September of the next year, the emperor himself was slain by his guard, for attempting to depose Basil, whom he had joined with him in the empire. Basil succeeded, and banished Photius; Ignatius was restored, and the schism healed, but its effects were not destroyed. Photius, upon the death of Ignatius, in 878, took possession of the church of St. Sophia with an armed force, and obtained from John VIII. the appointment to the patriarchate at the request of Basil, upon conditions which Photius never fulfilled; the intruder was then condemned by John, and by his successors Martin or Marinus, Adrian III., and Stephen V. After the death of Basil, his son Leo the Wise, or the Philosopher, succeeded, who at the request of Pope Stephen, banished Photius into a monastery in Armenia, where he died. The union was then perfect between the Popes and Patriarchs of Constantinople during upwards of a century; but the schism under Michael Cerularius, in 1053, made a very considerable portion of the East separate from the centre of unity.

The vicinity of Southern Russia to Constantinople, their union for so long a time with that metropolis, from which their forefathers had received the faith, and the similarity of their discipline, would appear to cause the Muscovites easily to be led into the separation. The contiguity of Kiow, the then capital of the Russians, to the city, caused more frequent communications between the Dukes of Russia and the emperors of the East, so that the court and the principal ecclesiastics, having joined in the schism, it would be more generally adhered to.

This, however, was not the case, for we find strong and impregnable evidence, of the Russian churches continuing Catholic during centuries, notwithstanding the unfounded assertions of many sectaries and Catholics to the contrary. We have already noticed that Wladimir, the son of Igor, was the duke who principally established the faith in Kiow and the rest of his dominions. His successor was Jaroslas, his son, who was succeeded in 1078 by Wsevolod I., his grandson, in whose reign Ephrem, Metropolitan of Kiow, executed the bull of Urban II. for the feast of the translation of the relics of St. Nicholas, of Bari, on the 9th of May. His son Andrew Bogoliski, transferred the ducal residence from Kiow to Wladimiria. In 1156, George, Duke of Russia, recovered Kiow, and built Moscow, so called from a monastery called Moskoi, which previously stood there, and had its name from Mus or Muisk men, *i. e.* is the seat or residence of select men. Under George II., Duke of Muscovy, in the beginning of the thirteenth century, many of the Russians were involved in the schism,

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but in 1244, they were formally reunited to the Holy See. His son, Alexander, succeeded in 1246; he is honoured as a saint in the Russian Church, and lived and died in the faith and communion of the Roman Catholic Church; he is called St. Alexander Newski, or of Newa, from a great victory he obtained over the Poles and Teutonic Knights in Livonia, on the banks of the Newa, when he was Prince of Novogorod, in 1241; his death took place in 1262, at Gorodes. The Czar, Peter the Great, built a convent of Basilian monks to his honour near St. Petersburgh, and in 1725, Catherine instituted the second order of Russian knighthood under his name. In 1304, Daniel, fourth son of Alexander, left by his father Duke of Moscow, after the death of his three elder brothers, became ruler, and made Moscow the ducal residence. In 1415, during the reign of Basil or Vasili II., Photius, Metropolitan of Russia, residing at Kiow, joined in the Greek schism, and being deposed on that account by a council held at Novogrodek, he retired into Great Russia, and there spread his poison. His successor in Kiow, Gregory, assisted at the Council of Constance. There were then, and had been for some time in Russia, seven archbishops and a proportionate number of bishops.

The schism having made rapid progress, in the year 1588 the Archbishop of Moscow was, by Jeremy, the schismatical Patriarch of Constantinople, declared Patriarch of all Russia, and recognised as such by the schismatical Patriarchs of Alexandria, Antioch, and Jerusalem, upon condition that he should be chosen by them. Most of the Muscovites, thenceforward, were engaged in the schism, and joined several heresies thereto. But the Archbishops of Kiow still continued Catholic, as did almost all Polish Russia, which, since the year 1600, has been under a Metropolitan of Kiow, Archbishop of Ploses, and Bishops of Presmilia, Liceoria, and Leopold; but in 1686, Kiow being ceded to the Muscovites, they established a schismatical metropolitan therein —Photius and Jonas II. being the only preceding prelates who were not Catholics.

The first czar was Iwan, or John IV., in 1552. In the reign of Czar Michael Alexis Witz, Nicon, a ambitious and crafty man, was the schismatical patriarch; he told the czar, that it was a useless and derogatory custom, for the Patriarch of Muscovy to seek for confirmation from Constantinople, or the other patriarchates; that he derived his power from the Holy Ghost, and ought not to seek it from man. The czar countenanced him, and he quickly increased the number of archbishops and bishops in the state. Having regulated church affairs to his liking, he next assumed a right to guide the decisions of the senate, and to direct the czar in making peace or war, lest he might act against conscience, and insisted, that he should decide upon the justice or injustice of the laws previous to their promulgation. The czar and the senate opposed his pretensions—he would not abate a particle—excommunicated several of the senate, and excited rebellion, in which much blood was shed. The czar finding the patriarch still unsubdued, assembled a council in 1667, paying the expenses of any bishop in or out of his dominions, who would attend; it consisted of three patriarchs, twenty-seven archbishops, one hundred and ten bishops, and one hundred and fifty other Russian ecclesiastics.

This synod deposed the patriarch, ordering that he should be confined, during the rest of his life in a convent, and fed on bread and water.

That the czar and senate should have votes in the election of the patriarch, who should be amenable to their judgment.

That the Patriarch of Constantinople should have no right to the appellation of head of the Russian Church, nor any authority therein, but such as the czar should think proper to bestow on him.

That no more property should be given or left to convents or churches; and that the patriarch should have no authority to erect new diocesses or establishments without the consent of the czar and the senate.

SECTION II.

In our last number, we gave a short account of the establishment of Christianity in this country, and the subsequent introduction of the Greek schism, and latter change of discipline and separation of the Muscovite church from the Greek, so that what is now the Russian Church, is no more a portion of the Greek, than it is of the Roman Catholic Church. In future publications, we shall exhibit the special differences by which the Greek Church, which still continues schismatical and heretical, is separated from the Roman Catholic Church; but, let not our readers imagine, that the whole Greek Church is out of the communion of the see of Rome; as we shall find in our future exhibitions, millions of the members of the Eastern church are Roman Catholics. But, to continue our remarks upon Russia.

In 1588, the great body of the Russian clergy and people joined in the Greek

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schism, and in 1667, they formed an independent establishment, of which, in fact, they made the czar and senate of the empire the head, and rejecting the authority of the patriarch of Constantinople, formally separated from him. The patriarchs of Moscow still had many quarrels with the court until the time of Peter the Great.

The descendants of Rurick, whom we have noticed in our last, as the founder of the race of dukes and czars, became extinct in Feoder or Theodore, in 1598. After some contention and confusion. Michael, of the family of Romanow, allied to the preceding czars, was chosen Great Duke of Muscovy, in 1613. His third descendant was Peter the Great, who founded the Russian empire. In the year 1700, the patriarchate became vacant, and after nineteen years, Peter, who had made some unsuccessful negotiations for a reunion with the see of Rome, declared himself head of the Russian Church, had an archbishop appointed for Moscow, and placed the church government under a sort of committee, consisting of ecclesiastics and laymen—in which state it still continues.

There is a considerable division in the Russian Church, a large body who call themselves Sterawersi, or old faithful, having separated from the principal sect. This division has existed for a long time, but the formal separation was made in the patriarchate of Nicon. They were persecuted by the dominant party until Peter the Great established a limited freedom of conscience, tolerating every religion, but forbidding any persons to leave the Russian Church for the purpose of joining the Roman Catholic.

Lutheranism was introduced at an early period of the sixteenth century, particularly by the Swedes into Finland, which, until lately, belonged to them, and into the adjoining parts of Archangel and Novogorod. In 1559, William of Furstenberg, Herr Meister of Livonia, or Grand Master of the Teutonic Knights, who then governed Livonia, having become a Lutheran, resigned his office in favour of Gotthard Kettler, who had been his coadjutor master. This man having also embraced the new doctrines, ceded a part of Livonia to the Danes, and the principal portion to Poland, receiving the investiture of the dukedoms of Courland and Samagotia, as secular. The new doctrines spread from those places into Russia, so that Lutheranism made considerable progress in the northwestern part of that country. In the year 1581, Pope Gregory XIII. wrote to the czar, John Vasilievitz, who was a Roman Catholic, to request he would send the Lutheran preachers out of his dominions; but the czar wrote back a refusal, stating, that in his country, all nations should have the free exercise of their several religions.

Many Calvinists subsequently found their way thither from the more southern regions of Europe, particularly through Poland and Germany, and in the time of Peter the Great, from Holland, and latterly from Scotland.

The Armenians separated from the see of Rome, as well as those in its communion, are by no means a small number of the Christians of this country. The latter, of course, being members of the universal Catholic body, are to be ranked under their proper head. A very considerable portion of this body which was schismatic, and resided in Poland under a patriarch, has been reunited to the Catholic Church, together with its patriarch, in 1616.

After the conquest of Greece by the Turks, and the establishment of Mahommedanism in the east of Europe, many of the Mussulmen settled in Russia, and, at present, the number in the European part of that empire is by no means inconsiderable.

By these several means, the Roman Catholic religion has been greatly reduced in this large empire, but still, the numbers who have adhered to it, are by no means few.

In the middle of the last century, the Jesuits, who had been frequently the objects of gross misrepresentation and unfounded calumny, were established in many places, to diffuse the light of science in this country. They had previously laboured as missionaries, and been, to a certain degree, successful; but, when they were driven from the rest of Europe, they, in the dominions of Catherine, found an asylum; the great obstacle to their labours was principally the law which forbid any person to become a convert; yet many, notwithstanding this law, embraced the doctrines of the church. In 1782, the number of Roman Catholics had greatly increased; and in the next year, at the request of the Empress Catherine II., Stanislaus Siestrzencewez, was consecrated in Rome first Archbishop of Mohilow, and primate of the Roman Catholic Church of Russia, on the feast of St. Thomas the apostle, December 21. The patriarchate of Kiow has thus been superseded.

Upon the seizure of a considerable part of what once was Poland, by the Empress of Russia, in the last century, a considerable accession was made to the Catholic population of the empire; and when those usurpations had received a character of permanence, there were some regulations of the see of Rome, to settle the jurisdictions of

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the bishops of Poland, &c., within such limits, as would not interfere with the boundaries of those powers, to which they were severally subject.

In most places within the Russian dominions, as well in the Catholic as in the Russian churches, the liturgy is in the Sclavonian dialect. This was established by St. Methodius, after the death of his brother Cyril, by the authority of Pope John VIII., in the year 879, which custom was confirmed by Pope Urban VIII., and his successor Innocent X., about 1650; by the Synod of Zamoski, held in 1720, under Innocent XI., then by Pope Innocent XIII., and finally by Benedict XIV., in the Bullar. Const. 98, dat. an. 1744, and Const. *Ex pastorali munere*, 1754.

The Sclavonic is, probably, with the exception of the Arabic, the most extensive language extant; but its modern dialects are as different from the old mother tongue as any modern language is from those which are now called dead languages; and the liturgy in the Latin or Greek would be equally intelligible to the congregation as in the tongue which is used; but, by the discipline of the Roman Catholic Church, no particular portion thereof has authority to change its discipline in a matter of such importance, without either the general consent of the whole body or of its head, that is, the bishops of the universal church, or the Bishop of Rome. And the same reasons which cause the retention of the other original languages, Latin, Greek, Coptic, and Syriac, or Chaldaic, which is the modern Hebrew, in the liturgies of several other portions of the Roman Catholic Church, operate with equal force, for retaining the old Sclavonic in Russia, and in the other countries where it was originally adopted.

A breviary and missal of this tongue, which had been revised and corrected by Caraman, afterwards Archbishop of Jadra, he having been properly authorized, were printed in Rome in 1741: according to the rules of a dictionary of that language, titled *Azbuguiderium*, i. e., A,b,c,derium. The best grammar thereof was compiled by Smotriski, a Basilian monk, and printed at Wilna in 1619—reprinted at Moscow in 1721.

Some of the churches in Poland and Moravia, which had originally received the Latin liturgy, about the year 1000, wished to use the Sclavonian liturgy, but upon the same principle which causes the retention of the Sclavonian, in those churches where it was originally established, a synod, held at Spalatro, under John, Archbishop of Salona, expressly prohibited its introduction to those churches. Maynard, the Pope's legate in those parts, forbid its use in any public office, to those churches and clergy who had previously used the Latin tongue. These decisions were confirmed by Pope Alexander II. Pope Gregory VII., the successor of Alexander, renewed the decree, applying it to the churches in Germany, which were, in like manner, omitting the Latin, and adopting the Sclavonian. Some ignorant would-be critics, who merely catch at the first glimpse of an apparent contradiction, to form a judgment, and to pronounce a condemnation, and some insidious men of ability, who oppose the Catholic church, quote these apparently conflicting decrees of those several Popes, and similar ones, as proofs of the instability of Catholic doctrine, and triumphantly ask, "Is this church infallible?" We really do not know how such men ought to be answered; for in the first place, it would be necessary to give them either honesty or information, or both. Had they these qualifications, they would acknowledge, that so far from being conflicting, these decrees proceed upon the same principle, but applied variously, under different circumstances; and next, Roman Catholics do not claim infallibility for the Pope in everything; nor for the church, except in doctrines of faith and morality; and these decrees do not regard either the doctrines of faith, or the principles of morality, which are immutable; but the regulation of discipline, which might, at any moment, be changed by proper authority.

In Russia, some of the churches have been planted by the missionaries from the east, and some by those from the west; each portion had its peculiar ceremonies and form of prayer, different from the other, though their doctrines of faith, their principles and morality, and their essential discipline, were exactly the same; those churches, generally, still retain, not only their original language, but also their original ceremonies and forms. Hence, amongst the Russian Catholics, great diversity of secondary discipline is observable. This has given rise to the assertions of some unskilful writers, who concluded, that there must be a difference of belief, because there was a difference of external forms. As well might they conclude, that Jansenists were Roman Catholics, because all the external forms are similar. As well might they conclude, that the persons who frequent St. Mary's Church in Philadelphia, are in the communion of the Roman Catholic Church, because the young man who officiates therein observes the same forms as are observed by duly authorized Roman Catholic priests.

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Communion in spirituals consists in believing the same doctrines of faith, being united under the same church government, and obeying the authority of that government, and having, of course, the same sacraments. The Russian Catholic churches believe the same doctrines that are believed by all other Roman Catholic churches—they have the same sacraments that all other Roman Catholics have—and they are under the government of bishops, who hold communion with, and are subject to the Bishop of Rome, who is the centre of unity and communion for all Roman Catholics throughout the world. They acknowledge this authority, and they obey it;—though having been properly authorized therefor, their liturgical language, and their accidental ceremonies, which are matters of ecclesiastical discipline, differ from those of other churches. By not observing this distinction, between what is essentially necessary, and what is matter of conventional regulation, many superficial writers and readers have made egregious blunders; and by wilfully confusing what ought to be accurately distinguished, many ingenious sophists have created considerable delusion.

Hence, Russia exhibits in her Roman Catholic churches, perhaps the greatest diversity of discipline which could be observed in any other nation, if we except the city of Rome, where there are churches of all rites in communion with the Holy See. You find the Greek and Latin rites, in the Greek and Latin languages, and both in the old Sclavonian tongue, and the Arminian and Syriac rites, all used in several Roman Catholic churches, having different discipline, but holding the same faith, and subject to the same authority, and united in the common father of Christendom, the Bishop of Rome.

At present, there are in Russia, a legate of the Holy See, the Archbishop of Mohilow, and several bishops, the exact number we do not know, and a very considerable number of clergy of the several rites, and monks and friars of several orders, together with the faithful attached to them, in union with the Bishop of Rome, and the rest of the Roman Catholic churches; and during the last twenty or thirty years, notwithstanding the difficulties to conversion created by the laws, the progress of Catholicity in this vast empire, has been and continues to be steady and considerable.

From the documents which we have been able to collect and to compare, we believe the following estimate will be found a pretty accurate representation of the religious situation of the European portion of Russia:

Various divisions of the Russian established and other similar churches, separated from the Holy See, about	20,000,000
Roman Catholics of various rites,	9,000,000
Lutherans, ...	3,000,000
Other Protestants, . . .	1,500,000
Mahometans, . . .	1,250,000
Pagans, ...	3,500,000
Total population of European Russia, ...	38,250,000

EUROPEAN TURKEY.

SECTION I.

What a contrast does this country now exhibit to what it once was! How faded in its religious glories! How debased its morality! What a series of instructive events does its history contain! The research of the antiquarian, the imagination of the poet, the investigation of the philosopher, the classic taste of the scholar, the reflection of the legislator, may all here find abundant employment. Here, too, the fragments which have escaped the unsparing hand of time, and the ravages of barbarism and avarice, still exhibit models for an age which boasts of its progress beyond those which have preceded it. Upon this soil liberty had its defenders. Thermistocles, and Miltiades, and Leonidas, are no more. Demosthenes has long been silent. The productions of Apelles are decayed, and where are the men? They have vanished from this world,—they exist in another. We have no ground for determining their fate. The God who searches the hearts of men, who alone could judge of the opportunities which he afforded them, and who alone could determine how they corresponded with those opportunities, has judged them, and has not revealed that judgment to us. It would, therefore, be rashness and presumption in us to pronounce upon the fate of others, without a sufficient motive to direct our judgment. We have not such a motive, neither are we constituted judges over these men; but our duty is, to labour

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strenuously in turning to account the opportunities afforded to ourselves. And in contemplating the history of religion in Greece, which is the present Turkey in Europe, we have a most instructive lesson for the direction of our conduct. We cannot dwell upon its events at present; we can only glance at the leading facts, and take future occasion to dilate upon them and explain each.

The Apostle St. Paul appears to have been the first Christian missionary in Greece, at least the first who founded churches and established bishops in the country.

We read in the xvi. of the Acts of the Apostles, that when St. Paul was at Troas in Lysia, he saw, in a dream, an inhabitant of Macedonia inviting him to go thither and help them: on which account, he sailed from Troas, and passing the island of Samothracia, he went to Neapolis, which was upon the confines of Thrace in Macedon,—thence he went to Philippi, and subsequently to Amphipolis, Apollonia, and Thessalonica,—whence he was sent to Berœa, when he sailed to Athens, where he preached in the Areopagus; subsequently he established the church of Corinth.

After having left Greece in the year 53, churches having been established in those several places which we mentioned, he remained for some time in Asia; but, in the year 57, he again sailed from Troas for Macedon, to revisit his Grecian churches; and having written from Macedon his second epistle to the Corinthians, he complains of some divisions and irregularities amongst them, answers some questions proposed by them concerning marriage and celibacy (c. vii. and xi.), complains of some irregular practices at the time of receiving the holy eucharist, and states, that upon his arrival he will make a regulation upon the subject (v. 34). He was at Corinth in the year 58, when he wrote his epistle to the Romans; and St. Augustine informs* us, that it was then he made the regulation, that no person should receive the holy eucharist except fasting, unless in case of danger of death; which was immediately adopted as a general rule by the whole church, and has continued unchanged to the present day. In the next year St. Paul left Greece,—and the bishops whom he had established in the several churches zealously followed up his labours, and soon spread the light of the Gospel through that country.

Amongst the bishops who governed those churches, the most remarkable in the first and second ages, were St. Denis the Areopagite, first Bishop of Athens, appointed and consecrated by St. Paul to that charge in the year 51; St. Denis, Bishop of Corinth in the time of Pope Soter, about the year 170; Publius, who was Bishop of Athens in the year 150; and his successor Quadratus, who was one of the first apologists for the Christians, he having drawn up and sent one to the Emperor Adrian; Athenagoras, an Athenian philosopher, who had been converted to Christianity, also presented an apology for the Christians in the reign of Marcus Aurelius.

Greece also gave many martyrs to the church in the succeeding ages,—but the blood of the martyrs only fertilized the soil of Christianity.

In the year 323, by the defeat of Licinius, Constantine the Great found himself at the head of the Roman Empire; and in that year, at Byzantium in Thrace, he had determined to consider of becoming a Christian. He had not been altogether uninstructed in its principles, having imbibed them from his holy mother, St. Helena. Upon his arrival at Byzantium, he was waited upon by a deputation of Pagan philosophers, who represented to him the great evils that would flow from innovation, and the folly of changing from the faith of his fathers, and the possibility of serving God with a good heart under any system of religion. Alexander, the Bishop of Byzantium, was called before the emperor, and asked if he could answer their arguments. The bishop requested one to be selected to speak for all; and after he had commenced his train of reasoning, Alexander stated that he was no great logician, but the servant of a God of might, who could instantly confound human pride,—and commanded the philosopher, in the name of Jesus Christ, to be silent. He was struck dumb. Constantine immediately afterwards published edicts favourable to the Christians; and upon the site of Byzantium he raised the city which, after himself, he called Constantinople,—and which, from being the seat of the empire, was frequently called New Rome.

Arius, the author of an impious and blasphemous heresy in Alexandria, the capital of Egypt, came to Constantinople to try and make interest with the emperor. Alexander refused to receive him into communion, or permit him to enter any of the churches of his diocess; but Arianism insinuated itself into Greece, and caused much calamity. Sometimes the emperors and courtiers upheld the Arians, and persecuted the Catholics. After the time of Constantine, the see of Constantinople was raised to the metropolitical dignity; it had

* Ep. 118 ad. Jan.

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been previously suffragan to the Archbishop of Heraclea in Thrace. An attempt was made in the Council of Chalcedon, in 451, to elevate its rank above every other see, except Rome; and by the contrivance of the clergy of Constantinople, and several of the suffragans and neighbouring bishops, a canon to that effect was voted; it was the 28th; but St. Leo, who was then Pope, gave his sanction only to the first 27, thereby excluding that which was the 28th, and a number of other canons which were irregularly passed after the departure of the legates, Paschasinus, Bishop of Lilybum; Lucentius, Bishop of Ascoli, and Boniface, a priest of Rome, who presided in the name of St. Leo,—together with several other prelates. St. Protarius, the Patriarch of Alexandria, and the Bishops of Egypt, together with a considerable portion of the oriental prelates, also opposed this innovation; and for some time the Bishops of Constantinople relinquished their pretensions.

In the year 553, the second general council of Constantinople was held, and a new attempt was made to raise that see to the patriarchal dignity, and to extend its jurisdiction. This was scarcely resisted, and Constantinople thenceforward ranked next in dignity to Rome.

We have, in the history of the Greek Church, which may be said principally to consist in the history of the see of Constantinople, one of the strongest and most melancholy exhibitions of the fatal consequences of the domination of worldly power over the affairs of the church; and in the exhibition of to-day, we have the confirmation of our assertion. If religion be made to depend for its support upon worldly means, or the power of princes or states, it will become the sport of human folly, and the prey of human passion. Constantinople was elevated to dignity by human power and worldly intrigue,—and those same causes have also produced its degradation.

Before the death of Alexander, bishop of that see, in 340, Paul, a native of Thessalonica, who had been a deacon of his church, was recommended by that prelate as his successor. He was regularly appointed and consecrated. But the Arian party were desirous of having one who would favour their views,—and accordingly they raised up Macedonius, one of their partisans, to be his competitor. The Emperor Constantius banished Paul and Macedonius, and invited Eusebius, Bishop of Nicomedia, to govern that see. Thus, we perceive how soon worldly domination began to exhibit itself upon the profession of the faith by the emperors, and how quickly they found amongst the clergy willing instruments. Paul took refuge with St. Maximinus, Bishop of Triers in Gaul, whence he proceeded to Rome, for the purpose of laying his case before the Pope; here he found St. Athanasius, who had come for a like purpose, under similar circumstances, having been driven from his see of Alexandria, in Egypt, by the Arians also.

Pope Julius I. was holding a synod, which was attended by eighty bishops; and after examining the cases of Athanasius and Paul, he restored them to their sees, and sent them back with letters of injunction to their flocks. Eusebius, however, kept forcible possession of the see of Constantinople until his death, about nine or ten months after. The Arians had gained considerable sway over Constantius, and again procured the banishment of Paul.

Hermogenes, his general, was ordered by Constantius, who was in Antioch, upon his way to Thrace, to pass by Constantinople, and to drive Paul out of the city. The people resisted the general, and he was slain. Constantius came to the city, pardoned the people, and banished the bishop. Paul, upon his own application, and at the request of the Pope, received, in 344, letters from Constans, the Emperor of the West, to his brother Constantius, requesting he would suffer the bishop to remain in his see, for the government of his church. Thus, he was enabled to remain until 350, when, Constans dying, his enemies succeeded in procuring his banishment, and he died in 351, having been strangled in prison in Cucusus, a small town in a most unhealthy situation in the deserts of Mount Taurus, upon the confines of Cappadocia and Armenia, having been previously left six days without food in his dungeon.

Philip, the prefect of the Pretorian band, was the officer commissioned to remove Paul from his see,—and knowing the facility of exciting a tumult in Constantinople, he, though an Arian, privately sent for Paul, and showed him the order for his banishment, requesting that, to preserve peace, he would quietly obey. Meantime a crowd had assembled outside the bath where the bishop and the prefect conversed. The bishop, seeing contention useless, consented,—and the prefect caused a passage to be privately broken through the rear of the building, through which the bishop escaped, and lay concealed in the palace until he was embarked for the place of his destiny.

Philip next proceeded to fulfil the other part of his commission, and took Macedonius in state to be installed in the cathedral.

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The Catholics and the Novatians united in their opposition, blocked up the passages, and refused to make way; the military were brought out, and upwards of three thousand persons were killed on both sides. The prefect conducted Macedonius into the church, and placed him in possession of the episcopal throne. The intruder now turned his attention to annoy the Novatians, and finding they were pretty numerous in Paphlagonia, he procured an order from the emperor to have four regiments sent to compel them to embrace Arianism. The Paphlagonians prepared for the contest, and the soldiers were nearly all cut to pieces.

Upon a subsequent occasion he was opposed by the people in an attempt to remove the body of Constantine from the Church of the Apostles to that of St. Acacius, which caused dreadful carnage in the churches. The emperor, at length, weary of the repetition of these scenes, undertook to depose him. Macedonius now hated the Arians equally as he did the Catholics. The former denied the divinity of the Son of God,—the latter believed in the divinity of the Father, and of the Son, and of the Holy Ghost. Macedonius, in order to oppose both, asserted the divinity of the Son, and denied that of the Holy Ghost,—thus forming a new sect, which, after him, were called *Macedonians* and *Pneumatomachics*, and other times *Marathonians;* the first name they derived from their founder—the second from the peculiarity of their doctrine, *opposers of the Holy Ghost*—the third from Marathon, Bishop of Nicomedia, who was a principal abettor of their errors, and without whose aid it is supposed the sect never would have been formed. This error spread principally through Thrace, along the shores of the Hellespont, and in Bithynia, and was condemned in the first Council of Constantinople in 381.

The perpetual interference of the emperors and their officers, who sometimes were Catholics, and sometimes members of some one of the various new heresies which were perpetually ravaging the Church of Constantinople, together with the restless spirit of its population, caused the greatest disorders and irregularities in this church. St. John Chrysostom, and St. Gregory Nazianzen, two of the brightest ornaments of the Christian world, were bishops of this see, and suffered the greatest persecutions and afflictions for their attempts to preserve church discipline.

At the Council in 381, the title of St. Gregory Nazianzen to the see of Constantinople was recognised,—but, finding that he could not preserve the peace of the church consistently with its discipline, he resigned, and was succeeded by Nectarius. The emperor wrote to the Pope, requesting that, for the sake of peace, he would confirm these acts.

SECTION II.

We have merely glanced at the prominent facts which the early history of this portion of the church exhibits. We have seen, however, that Byzantium was an episcopal see, subject to the Archbishop of Heraclea, in Thrace, and that although this town was by Constantine enlarged and ornamented, and raised to the dignity of a capital of the empire, this made no change in the bishop's title, until subsequently, after much exertion, first it was raised to be an archbishopric, then began to lay claim to the patriarchal dignity, not from any allegation of original divine right, but from the concession of some councils, and the voluntary submission of some bishops. Still, however, in the year 381, this claim was not recognised by Rome, nor generally admitted.

In the year 381, a provincial council was held in that city, at which St. Meletius, Patriarch of Antioch, presided, and during the celebration of which he died. He was held in such esteem for his sanctity, that the people pressed round the dead body to touch it with linen, which they afterwards preserved as relics. The acts of this council were afterwards received by the whole church, and thus it has the authority of a general council, from its acceptation.

The second canon of this council regulates the discipline of jurisdiction and boundary, prohibiting the bishops from creating confusion by interfering in the concerns of other churches, and renews the decisions of the Council of Nice by forming the provinces, stating that Alexandria should govern the province of Egypt; the Eastern bishops should regulate their own discipline, paying due honour to the primacy of the church of Antioch, according to the Nicene statutes; the bishops of Asia Minor should also regulate their own discipline; those of Pontus that of their province, and the bishops of Thrace that of this province. This canon is found also in its proper place in the code of canon law, 9 qu. 2 cap. *Episcopi qui extra.* The thirty-fourth of the apostolic canons had previously made a similar enactment, so far only as regarded ordinations, under the penalty of deposition of the person ordaining, and of those ordained. The Greek copy of this canon of Constantinople has a paragraph which is not found

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in the Latin copy, regulating, that "the churches amongst the barbarians shall be administered according to the custom of the fathers, which has been preserved."

The canon of the Council of Nice, principally referred to, is the sixth. The fifteenth and sixteenth have also a bearing upon the case. Gratian quotes a canon of the Council of Antioch, held in 341, under Julius I., to the same effect. Cap. *Episcopum non debere*, 9 *quæst* 9; in others, quæst. 2. This was the thirteenth canon of Antioch; and in the twenty-second of the same synod, the principle was applied to special cases. This Council of Antioch was far from being general, and some of its canons were rejected; but the thirteenth and twenty-second are amongst those received and confirmed, as having been founded upon the principle of the canon of the general Council of Nice, and confirmed by the first Council of Constantinople, which became general by acceptation; and in the year 410, Pope Innocent I., who rejected some of the canons of this council, and admitted others, received and confirmed the thirteenth and twenty-second. It was upheld by several other decisions during upwards of eleven hundred years; it was finally ratified by the Council of Trent, when that council remodelled the discipline, and repealed a considerable portion of the canons of the preceding ages. In the sixth session, held on the 13th of January, 1547, the fifth canon of Reformation, which was the last canon of that session, re-enacts and confirms the principle of the second canon of the first Council of Constantinople, with a penalty nearly similar to that of the thirty-fourth apostolic canon, and the editor quotes as precedents those two canons, together with those of Nice and Antioch; the thirteenth of the second Council of Arles, about 442; the third and nineteenth canons of the Council of Sardica, in the year 347, under the famous Osius, Bishop of Cordova, and the fifteenth canon of the third Council of Orleans, held in 538.

There was, however, a special object in passing this second canon at Constantinople, which was only exhibited by the production of the third canon. Thrace having been now made a province, and placed upon an equality with Egypt and the province of Antioch, there having been also a number of new provinces created, which were not previously known, the next regulation should concern their rank. In Nice, the only patriarchates recognised were Antioch, which had formerly been the see of Peter, and Alexandria, which was the see of his disciple St. Mark. Other provinces of minor note were referred to, without being named; but now we find not only Antioch and Alexandria, but we also find Asia Minor, Pontus, and Thrace.

The third canon then proceeds to give Constantinople the first rank amongst those, and enacts, "Let the Bishop of Constantinople have the first place of honour after the Bishop of Rome, because Constantinople is New Rome."

This canon was not approved of by the Pope, nor was it accepted together with the other canons in the west, nor in Egypt, though it was partially received in Syria and in Asia Minor. The patriarchate of Antioch did not comprehend Thrace. That country was in the western patriarchate, which upon two grounds, therefore, required the assent of the Bishop of Rome, for any change in territorial jurisdiction or precedence, first as patriarch of that special district, and next as head of the whole church: yet, though it was not ratified by him, it was acted upon voluntarily by those who enacted it; and we find also the second canon violated almost immediately, for the Bishop of Constantinople not only governed Thrace, but interfered in Pontus and Asia Minor, and part of Antioch; and the emperors who were anxious to add as much as possible to the splendour of the new imperial city, gave their countenance and support to the usurpation; but to this day, the consequences of endeavouring to create and uphold spiritual power by such means, have destroyed religion in this miserable church.

About this time, the errors of Apollinaris, Bishop of Laodicea, made some progress in the churches of Greece. The principle of his error was found in the doctrines of Pythagorean philosophy. The reputed sage had taught that man had two souls, the rational and the sensitive, the one a pure spirit which possessed the higher powers of our nature, the other a nondescript substance, which was the receptacle of sensation and the seat of passion. Apollinaris taught that Christ had the sensitive soul, but not the rational soul, the existence of which he contended would be useless, in consequence of the union of the divinity. St. Gregory Nazianzen, who had abdicated the see of Constantinople, which was now governed by Nectarius, opposed this error in the East, and St. Ambrose of Milan, wrote against it in the West, and St. Anathasius in Africa.

The successor of Nectarius was St. John Chrysostom. This holy man used all the influence of his zeal, his eloquence and his piety, to restore the discipline of the church,

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but the power of the court was too strong, and his efforts were unavailing. The Empress Eudoxia always found a sufficient number of the clergy ready to aid her in her projects of persecution against a prelate who was alike unmoved by the threats of power, or the blandishments of luxury; he was frequently banished for the discharge of duty and as often recalled. On Easter eve, A. D. 404, four hundred soldiers attacked the faithful who followed him to a private chapel, where he was baptizing the catechumens, as he could not consistently with the principles of the church go into the cathedral; vast numbers were slain, the baptismal fonts filled with blood, the very eucharist trampled under foot by savages who called themselves Catholics. The holy bishop ended his days in exile, from the hardships he endured on his transportation to Armenia, in the month of September, 407.

Arsacius, brother to Nectarius, the former prelate, was intruded upon the church, but Pope Innocent I. refused to recognise or to receive him into communion, and he was supported by the court. This was the first schism between the Latin and Greek churches. Fourteen months after this, Atticus, an Armenian monk, was promoted to this see, and was received into communion upon his erasing from the dyptics of his church the name of Arsacius, and substituting that of John Chrysostom, which the usurper had erased. The church of Alexandria had the misfortune to have at its head previously to this, Theophilus, the worst enemy of St. John Chrysostom; he was succeeded by his nephew, Cyril, who made a similar change in the dyptics of Alexandria to that which Atticus made in those of Constantinople. Atticus was succeeded by Sisinnius; and after his death, Nestorius was brought thither from Antioch, in 428.

SECTION III.

Scarcely was Nestorius fixed in his see, when he began to introduce erroneous doctrines which he had imbibed from Theodore of Mopsuestia. He taught in his cathedral that Christ had two persons as he had two natures, and therefore, that the expression which was usual amongst Christians when speaking of the blessed Virgin, was incorrect—that they should not style her *Mother of God*, because she was only mother of the human person, but not of the divine person. The people rose up instantly and interrupted him in the midst of his discourse, stating that he was changing their doctrines, and that if an angel from heaven were to preach a different doctrine from what they had received from Jesus Christ through the Apostles and their successors, they could not receive it, for they were bound to believe the revelations of God, and it would be impiety to believe doctrines contradictory to what Jesus Christ delivered.

Theodore of Mopsuestia fell into his error by too violently opposing Apollinaris. Nestorius carried the false principles of Theodore to farther results than his teacher, and thus in their consequences proved their falsehood. Besides endeavouring to abolish the expression respecting the blessed Virgin, which had been always known in the church, Nestorius endeavoured also to abolish other phrases equally consecrated by truth and usage, and which the pagans cited as proofs of the folly of Christianity. "A God has died," "God has suffered." Nestorius stated that those expressions arose from a mistake of the doctrine, but his flock contended that their belief was correct, and his doctrine a novelty.

The new archbishop was in high favour at court, and immediately procured the aid of the civil and military power for his support, but the people would not change their faith; and as every error will necessarily create opposition, and that opposition create noise and tumult, not only was this wretched church now torn into factions, but these also communicated their feelings and opinions to their neighbours, so that all Greece and a considerable portion of Asia and Egypt became embroiled. St. Cyril, the Patriarch of Alexandria, having been consulted by some of the monks of his district, decided that the Archbishop of Constantinople had erred. Nestorius had the decision of Cyril answered by Photius, to which Cyril replied, and now the contest was violent.

Acacius, Bishop of Berea, and John, the Patriarch of Antioch, condemned Nestorius, but were of opinion that Cyril was too violent. Cyril and Nestorius had both written to Pope Celestin, who held a provincial council at Rome, in which Nestorianism was condemned, as it was also in a provincial council held by Cyril in Egypt. Nestorius retorted its own anathemas upon the Synod of Alexandria, and appealed to a general council. This general council was held at Ephesus in 431, and Nestorius was condemned there; after which, the more strongly to mark their faith, the Catholics took every occasion of using the very phrases which Nestorius strove to abolish—"Holy Mary, Mother of God, pray for us sinners now, and at the hour of our death,"

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&c. Nestorius, having been deposed, retired to a monastery, but did not embrace the true faith; the Emperor Theodosius the younger, prohibited the assemblies of the Nestorians, and banished numbers of them, who went principally to Persia and Syria.

This same Theodosius had the relics of St. John Chrysostom brought with great pomp from the East to Constantinople, in the time of Proclus, the successor of Nestorius. Flavian succeeded Proclus, and in his time another heresy originated in this city. Eutyches, the archimandrite or abbot of a monastery near Constantinople was its author.

The rage of opposition to Nestorianism was such amongst this speculative and hot-headed people, that it was easy to lead them to the other extreme. Nothing was wanted but a leader, and Eutyches was fitted for that post. Austere and mortified, his appearance of sanctity together with the situation which he held, gave him weight with the multitude, who were greatly taken with the vehemence of his declamations against Nestorianism. He was more head-strong and obstinate than intelligent or well informed, and he was held in some estimation at court. His spirit had also something of a disposition to persecute, and he is looked upon to have been a promoter of the severities inflicted upon the Nestorians.

Eutyches inveighed against the impiety of those who dared to say that in Jesus Christ there were two persons, when there were not even two natures; for although the Son of God assumed our nature, in him it was destroyed, and it was no longer human nature after the personal union, Jesus Christ had then but one person and one nature. The Nestorian denied that Christ was one person possessing two natures. Eutyches denied that Christ had two natures in one person. The Catholic Church has always taught, that in Christ there are two natures, the divine and human, united in one person. The errors of Eutyches were spread through several monasteries, and found their way into Egypt and the East. Eusebius, Bishop of Dorylea, who had been one of the earliest opponents of Nestorius, was also one of the first to detest the error of Eutyches; and finding his remonstrances with the archimandrite unavailing, he presented a formal complaint for heresy, without specifying the tenets against him, to Flavian, who then presided in a synod at Constantinople, which was held to regulate a dispute between the Metropolitan of Lydia and two of his suffragans.

The abbot was summoned to attend, but feigned several excuses, and had it privately whispered through the monasteries that Flavian was a tyrant, who would not admit him to communion unless he signed a paper which he did not understand. Being obliged to appear before the synod, he was convicted; but availing himself of his credit at court, he obtained through the emperor an order for a council at Ephesus. Dioscorus, Patriarch of Alexandria, assumed the presidency, and together with a small party which was attached to Eutyches, he disregarded the authority of the papal legates who came to preside, deposed Flavian and those who had suspended and condemned the archimandrite. Him they restored, and then finding the majority of bishops to be opposed to their acts, Dioscorus introduced the army, which was at his command. The orthodox bishops protested against this violence, but the opposite party cried out to put down their opponents. Flavian was trodden to such a state as soon produced his death, and others with difficulty escaped. None of the acts of this horrid assembly have been received by the church. Pope St. Leo condemned this synod, and did all he could to prevail on Theodosius to suffer a proper council to assemble, but he would not consent. The Pope saw it would be useless to convoke it in opposition to the wishes of the emperor; but Theodosius soon dying, Marcian, his successor, afforded every facility, and a general council was held at Chalcedon, in which Eutyches was condemned, in the year 451. This was the fourth general council, and Dioscorus was deposed and banished.

Anatolius contrived to get into the see of Constantinople, after the death of Flavian; and his ambition urged him in the Council of Chalcedon to attempt elevating the rank of Constantinople. Favoured by the court and a considerable number of the bishops, a resolution was obtained in one of the sessions, after the regular business had been disposed of, by which resolution it was agreed, "That since the church of Constantinople has the honour equally with Rome of being an imperial city, and the seat of a senate, it ought to enjoy equal privilege and dignity with the Church of Rome, and therefore the provinces of Pontus and Asia and Thrace ought to belong to its jurisdiction, and be subject to the Bishop of Constantinople, and that their metropolitans should thenceforward be consecrated at Constantinople."

But when this was read in presence of the legates, they immediately rejected and condemned it, stating that their instructions from the Pope upon the subject, were clear and definite.

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The fathers who had agreed to it were farther prevailed upon to write to the Pope, requesting he would confirm what his legates had refused to sanction, and their own words will exhibit the influence which was employed. After stating their condemnation of Eutyches in conformity with the wishes of the Pope, and concurring with his legates they continue, "We have thought fit to regulate some points of discipline, for the peace and welfare of the church, in giving to the Bishop of Constantinople the next rank after Rome, but your legates have opposed it—though we have only in this confirmed the judgment of the one hundred and fifty bishops assembled in Constantinople in the reign of Theodosius the Great, which bishops decreed also, that the Bishop of Constantinople should have privilege next after your holy see. In opposing it, we suppose your legates were only moved by the desire of leaving to you the honour of doing personally this act, which is to insure the peace of the church. In our decree we have been influenced by the wish of the emperor, the desire of the senate, and the request of the whole imperial city. By your confirmation you will insure the everlasting gratitude and strict adherence of the See of Constantinople. And as the credit of the good actions of children redound to the glory of their father, we pray you to honour our decrees by your judgment; and as we, your children, have joined in your judgment of faith, so you, our head, may in return concur in the regulation which we have originated as productive of great good. By so doing, you will also highly gratify the emperor and the imperial city."

St. Leo refused his sanction, and wrote to the emperor and to his religious empress, and to the Archbishop of Constantinople, expostulating with them and giving the reasons for his refusal, stating, amongst others, that the civil dignity of a city was no ground for its ecclesiastical pre-eminence. It may also be remarked, that in this council there was no Patriarch of Alexandria to make opposition, for in the very first session Dioscorus had been deposed. Juvenal of Jerusalem held but an honorary distinction void of jurisdiction, and Maximus of Antioch did not appear to interest himself; for by giving Pontus and Asia proper to Constantinople, together with Thrace, there was no encroachment upon his jurisdiction, as it did not extend north of Mount Taurus and the river Tigris; but the bishops of the province of Ephesus strongly opposed it. Another remark proper to be made here is, that even at this period Greece proper, which is the ancient Peloponnesus and Achaia, together with Macedonia, Epirus, and Illyricum, were not in the patriarchate formed or intended to be formed for Constantinople, but were in the western patriarchate, of which Thrace was originally a portion.

Though the canons by which it was hitherto attempted to raise Constantinople, were thus rendered invalid, still they were not inoperative. The ambition of the emperors and their courtiers, and sometimes the ambition and sometimes the weakness of the archbishops of the new imperial city, joined to the submission of the bishops of the new division, gave virtually an efficacy to the regulation. Anatolius exercised the power by the consent sometimes of those over whom he claimed jurisdiction, and at other times aided by the civil power, he compelled submission. This introduction of the civil power to cause the execution of ecclesiastical decrees, has been the ruin of church discipline, and has laid the foundation of the intermeddling of kings and emperors with church concerns, and has been productive, upon the whole, of incalculable mischief.

After the death of Anatolius, Gennadius, a good and pious bishop, governed the Church of Constantinople during a few years, and upon his death, in 471, Acacius, a bishop of a very different character, occupied his place.

The Emperor Marcian died in 457, and was succeeded by Leo Macelles, who reigned until 474, when he was succeeded by Zeno the Isaurian, who filled the throne until 491, with the exception of the period that Basiliscus tyrannized in Constantinople, during the temporary abdication of Zeno and his flight into Isauria.

During that period the dreadful effects of this new interference in ecclesiastical concerns exhibited themselves. When the Christians were persecuted by the emperors, religion was preserved pure and uncontaminated; but when the emperors became the protectors of the church, and the union of church and state was formed, bishops became courtiers, and the episcopacy was now a place of less trouble, less danger, less privation, more honour, more wealth, and more influence. Courtiers regulated church affairs by the principles of human policy, and the church was agitated by the concussions of the state. The ignorance of Leo, the vacillating tyranny of Basiliscus, and the officious interference of Zeno, under the guidance of the wily Acacius, threw everything into confusion; there was scarcely a see in the Patriarchate of Constantinople, whose bishop was not exiled or deposed by one or other of those

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three rulers; and persecution for difference of faith began to be formally introduced into Christianity.

Leo was orthodox, but ignorant; Zeno cared nothing for religion, and plundered his subjects, whilst the barbarians ravaged his provinces with impunity. He having fled to avoid the rage of the people, Basiliscus, brother-in-law to Leo, usurped the throne; he wished to make a party, and finding many Eutychians to whom he was attached, he condemned the Council of Chalcedon, and banished and deposed several bishops who refused to sign his act of condemnation. After two years, upon the return of Zeno, he was sent by him into Cappadocia, where he and his wife and children were put into a castle, the apertures of which were built up, and the unhappy inmates left there to starve. Zeno undid all that Basiliscus had done, and deposed those whom he had favoured. But the Catholics and Eutychians had now come to violent opposition. To try and reconcile both parties, Acacius recommended to the emperor to publish an edict, in which the exposition of the Catholic faith concerning the incarnation was accurately given; but to gratify the Eutychians, no mention was made of the Council of Chalcedon, or of its decrees. This edict was called *Henotikon*, or edict of union. The Eutychians refused to embrace its doctrines—the Catholics refused to treat a general council with disrespect. Acacius advised Zeno to punish both. The emperor followed his advice, and banished most of the bishops of the empire, persecuting both sides most unsparingly. This is the first instance we find on record of monarchs regulating the doctrines of religion.

Pope St. Leo died in 461, and was succeeded by St. Hilary, who died in 470. His successor was St. Simplicius, who died in 483, and was succeeded by Felix III. This Pope sent three legates, Vitalis and Misenus, bishops, and Felix, to Constantinople, to remonstrate against this persecution, to have the edict withdrawn, and to prevail upon the emperor to withdraw his support from Peter Moggus, the unprincipled Patriarch of Alexandria. Acacius had so completely gained upon the emperor, that he had the legates thrown into prison, and then succeeded in bringing the two bishops to enter into communion with Peter Moggus. The Pope assembled a council in Rome, deposed his legates and excommunicated Acacius, who in return excommunicated the Pope. This began the second schism of Constantinople.

Acacius died in 488, and was succeeded by Flavita, who not only was a schismatic but a heretic. The wretched people were now divided into three parties, the Catholics, the Eutychians, and a middle party called the Doubtful—all irreconcilable. Flavita was soon succeeded by Euphemius, who held the Catholic faith, and received the Council of Chalcedon, but he found the district in a miserable situation. Acacius had, in revenge for the excommunication of Felix, deposed most of the orthodox bishops, and Flavita was anxious to fill their places with Eutychians, so that the faith was lost in many of the churches. Euphemius wrote to Pope Gelasius, the successor of Felix, who died in 492, that he condemned Dioscorus and received the Council of Chalcedon, praying to be received into communion. Gelasius required the name of Acacius to be taken off the dyptics of Constantinople, and that of Felix to be inserted. Euphemius refused to comply with the first part, but willingly offered to comply with the second part of the requisition. Gelasius, therefore, refused him communion, and the schism continued. Meantime Zeno was succeeded in the empire by Anastatius I., who at first punished all the parties, but subsequently attaching himself to the Eutychians, he deposed and banished Euphemius, and had Macedonius substituted for him by some bishops, whom he procured for the purpose. The schism continued under Macedonius, though his faith was orthodox. Anastatius soon found means, as he had inclination, and deposed and banished Macedonius, as also Flavian of Antioch, and Elias of Jerusalem, for holding to the Council of Chalcedon. St. Sabas the Abbot, and other holy men, remonstrated with the emperor, who desisted a little from his persecution, and a profession of faith and petition for communion was sent to Pope Symmachus by most of the churches, stating that they thought it hard to be punished for the fault of Acacius. The Pope answered that the profession was orthodox, but that they should acknowledge also the propriety of the condemnation of him whose crime they acknowledged.

Meantime Vitalian, a Scythian, raising a vast body of troops, under pretence of defending the Catholic faith, overran Scythia and Mysia, penetrated through Thrace, and laid siege to Constantinople. The emperor promised to reunite himself to Rome, and the troops withdrew. He applied to Pope Hormisdas, who required the same conditions as his predecessors had. The emperor refused, but many of the bishops and monasteries acceded, and were reconciled. St. Sabas and a number of other holy men again applied to the emperor, and he appeared to relent, but still delayed. He died in the

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year 518, in the 88th year of his age, and was succeeded by Justinus I.; and in the year 519, through his intervention, the names of Acacius and Flavita, Euphemius and Macedonius, were taken off the dyptics, the faith of Chalcedon restored, and an end put to the schism.

SECTION IV.

After the reconciliation with Rome in 519, there was a considerable calm in the Church of Constantinople. The Emperor Justin I. dying in 527, was succeeded by Justinian I., his nephew, whose wife Theodora was a Eutychian. This emperor had a religious turn, and a great propensity for legislation, the union of both which qualities in a person possessed of his authority, made him a torment to the church. He was at the commencement of his reign a Roman Catholic, and not only religious, but austere and mortified. He devoted very little time to his meals, and very little to sleep. He frequently fasted two days upon one poor meal of wild herbs and other vegetables. He soon commenced theologian and ecclesiastical legislator. He is the first prince that we find usurping this power; but his first edicts, though regarding ecclesiastical persons, had more the appearance of civil than of ecclesiastical legislation; on which account the usurpation did not wear so obnoxious an aspect as to require strenuous opposition, especially in the unsettled state of that portion of the church; besides, the object of the edicts was evidently good and necessary, and the execution of the law was committed to the patriarch, and through him to the metropolitans. He also published a profession of faith, which contained the doctrine of the Catholic Church, and on this account was pretty generally subscribed. He manifested great zeal for the conversion of heretics and infidels, and brought many to the external profession of the faith, though most persons agree that he made more hypocrites than converts; and indeed the means which he used, viz., rewards and punishments, were better calculated to produce hypocrisy than conviction. Some persons go so far as to say that he had an interest in those persecutions, for that he put into his private coffers the proceeds of the confiscations to which he subjected the obstinate.

The Eutychians having caused great trouble at Alexandria in Egypt, and even caused a schism amongst the Catholics, the emperor had a conference between six Catholic and six schismatical bishops in his palace, the result of which was the reconciliation of one of the schismatical prelates and some of the clergy, and the exasperation of the others. Justinian drew up a formulary of faith anew, and sent it to the Pope. John I., a successor of Hormisdas, requesting him, as "the head of all the bishops," to confirm it. This form contained a clear exposition of the true faith, and was approved of by the Pope in 529, and subscribed by most of the oriental bishops.

Justinian was desirous of reducing the laws of the empire into a better form than they were in, and for that purpose employed some of the ablest lawyers and chief officers of his time.

In 529, he published *the Code*, so called, as being *the book* which contained the select constitutions of the preceding emperors and his own, which he wished to preserve in force; and in 534 a more correct and improved selection was set forth. In 533 the best decisions of the lawyers upon cases under those constitutions were published under the title of Digests, or Pandects, and this was immediately followed by four books of Institutes, or introduction to the study and application of this law, and those decisions.—There was an appendix called *Novellæ*, which principally consisted of ecclesiastical laws compiled in like manner, and of several laws of his own or modern enactment. The entire of this forms what is called the Civil or Justinian Code. Many of the ecclesiastical regulations were never received by the church, and several that were received, have been subsequently repealed by contrary usage, by disuse, or by repeal, or by the enactments of canons which are inconsistent with the entries of *the Novellæ*. Such as were of force at any time received their authority not from the enactment of Justinian, but from the acceptation of the church. One of the principal topics in this appendix regarded the appointment of bishops. Some of the eastern churches received the discipline there laid down, but very few in the west acted on it.

The discipline in the western church was principally founded upon the canons of the Apostles. The canons of the Councils of Nice, Constantinople, Ephesus, and Chalcedon, which were general, and of the provincial councils of Ancyra, the capital of Galatia in Asia Minor, held in 314; Gangres, the capital of Paphlagonia, held in 470; Neocesarea in Cappadocia, now called *Tocat*, held about the year 315; three Councils of Antioch in Syria, in 265, 359, and 452; Laodicea, in Phrygia, in the time of Pope Damasus, and some others, found in the collection of Dionysius the Little, a Scy-

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thian monk, who became a priest of the Church of Rome, of eminent piety and literature, and who in 520 published the first collection of canon law, to which, a few years afterwards, he added the Decretals of the Popes Siricius, Innocent I., Zozimus, Boniface I., Celestin I., Leo the Great, Gelasius I., and Anastasius II. This same Dionysius was an excellent arithmetician and astronomer; he renewed the computation of the cycle, that of St. Cyril having nearly expired, and substituted the computation by the Christian era for that of consulates, and other modes of keeping account. Many persons are of opinion, however, that he fell into a mistake, which has never been corrected, of four years in the assignment of the exact period of the incarnation.

Another remark is also necessary upon the *Novellæ*, and indeed upon the whole Justinian code. We have before noticed the conduct of Justinian in compelling persons to profess a faith to which they were not attached. This had produced many bad results, amongst which that now adverted to was not trivial. Tribonian, a heathen, who pretended to be a Christian, was questor, which office is nearly the same as a judge in equity; this man, who was one of the best lawyers of the age, was by no means as upright as he was learned. Procopius and Suidas accuse him of having been excessively corrupt and venal. He was one of the chief compilers of the Pandects, and editors of the *Novellæ*, and frequently exhibited in them how little he was influenced by the principles of that religion which his interest obliged him to profess against his conviction.

We have stated before that the Empress Theodora was a Eutychian. But like all heresies, the Eutychian was now divided into several minor sects, a considerable one of which was called that of the Acephalists; they were obstinate opponents of the Council of Chalcedon. To this sect the empress specially attached herself. Upon the death of Epiphanius the patriarch, in 535, she contrived to have Anthimus, who was a member of this sect, raised to the see of Constantinople from the see of Trebisond, which he had previously filled.

St. Agapetus, who had succeeded John II. in the See of Rome, was consecrated on the 4th of May, 535, and at the request of Theodotus, King of the Goths in Italy, went to Constantinople for the purpose of endeavouring to dissuade Justinian from sending an expedition to recover Italy. In this he failed; but the Catholics of the imperial city accused their patriarch of heresy. Agapetus refused to receive Anthimus into communion, unless he subscribed the decrees of Chalcedon, and complained of the irregularity of his translation from Trebisond. The emperor and empress used their influence in vain with the Pope to allow the translation to stand valid. Anthimus returned to his former see, and the Pope consecrated Mennas patriarch of the imperial city, and excommunicated Anthimus, unless he would subscribe the decrees of Chalcedon. This created for the Pope the enmity of the empress and all her adherents. Agapetus died at Constantinople on April 18, A. D. 536, and his body was brought to Rome for interment.

Upon the death of St. Agapetus, Silverius, son of Pope Hormisdas, who had been married previous to his ordination, was consecrated upon the 8th of June, 536. Belisarius, the general of Justinian, having made himself master of Sicily in 535, took Naples in 536; and marching towards Rome, that city was, at the request of Pope Silverius, delivered up to him. The empress looked upon this as a good opportunity of promoting her views; wrote to the Pope, requiring him either to acknowledge Anthimus bishop of Constantinople, or to proceed to that city and examine his cause. Upon the receipt of the letter Silverius remarked, that packet would cost him his life. He wrote back that he could not betray the cause of the Catholic faith.

At this time Vigilius, one of the archdeacons of the Roman Church, who had accompanied the late Pope, was still at Constantinople. The empress promised to have him made Pope, as Rome was now in her power, and to bestow upon him a large sum of money, provided he would condemn the Council of Chalcedon, and restore to communion Anthimus, who was to be reinstated in Constantinople, and Severus and Theodosius, the Eutychian patriarchs of Antioch and Alexandria. The conditions were acceded to, and Vigilius set off for Rome, with a letter to Belisarius, commanding him to banish Silverius, and have Vigilius placed in his stead. Constantinople had long felt the evils of a connexion with the state; and the melancholy review which we have already made shows but too evidently the terrible effects of this unnatural and demoralizing association. This was the first attempt upon the See of Rome by the same agents.

Belisarius showed great reluctance to execute this commission; but his wife, Antonina, who was a confidant and favourite of the empress, had a great ascendency over him, and prevailed. "The empress com-

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mands me," said the general, "I must obey." "He who seeks the ruin of Silverius, and not I, shall answer for it at the last day." The Pope was accused, to afford a pretext for executing the order, of having held a treasonable correspondence with Vitiges the Goth, who was raised to the throne in place of Theodotus, who was deposed. To prove this, a letter was produced as from the Pope, inviting Vitiges to attack the city, and he would open its gates. It was proved that this letter was forged by Marcus, a lawyer, and Julianus, a military man, who had been suborned by the empress's friends. Belisarius entreated the Pope to comply with the request of his mistress, and not place him under the necessity of doing what he said was his duty. The Pope declared that he could not abandon his own duty, and that the power of rulers could not justify him before God. He then took refuge in the church of St. Sabina. The general contrived to get him out of the church, and had him privately removed; and Vigilius was consecrated on the 22d of November, 537, it being published that Silverius had voluntarily resigned. The good Pope was removed to Palmaria, in Lycia, the bishop of which place treated him with the kindness due to the father of the faithful, and obtained from the emperor an order for his restoration, unless he could be proved guilty of high treason. The executioners of the empress's orders contrived his detention in the little island of Palmaria, where he died, some say of ill treatment, others by the hand of an assassin, on the 20th of June, 538.

Vigilius repented of his crimes, and though theretofore an intruder, was now confirmed in his place, [and] became the successor not only to the dignity, but to the firm orthodoxy of Silverius, so that the designs of Theodora were frustrated.

Still, however, Justinian could not refrain from interfering in the concerns of the church; and the opponents of Catholicity, amongst whom his wife was the most restless, and not the least artful, took advantage of this propensity. Justinian had a council held under Mennas, in which laws were passed anew against the Nestorians and several sects of Eutychians; and the emperor persecuted all who would not receive those laws. Changing their appellation, some of those proscribed sectaries now took up the doctrines of Origen; and an application was made to the emperor, who actually neglected the government of the empire to get entangled in theological broils, to have them condemned. He drew up a new edict, in which he divided the errors of Origen into classes, ranged them under six heads, and condemned them. He sent a copy of this to Mennas, requiring him to have the bishops of his patriarchate and their abbots to subscribe thereto, and informs him that he had sent a copy to Pope Vigilius, and to the other patriarchs, for the same purpose. The edict contained no error, and was received and subscribed. And whilst his majesty was thus employed, Chosroes, King of Persia, was ravaging his eastern territories with impunity. Nor could the daily accounts of successive disasters withdraw him from ecclesiastical legislation.

Amongst the insincere subscribers to the edict which condemned the errors of Origen, one of the principal was Theodore Ascidas, visitor or exarch of [the] New Laura, founded by St. Sabas the abbot, in 507. This man afterwards contrived to obtain the bishopric of Cæsarea in Cappadocia, and became the rallying point of the Origenist Eutychians. He was a man of consummate artifice and unexcelled hypocrisy. Being on good terms with Justinian, and favoured by Theodora, he devised a mode of, as he thought, covertly destroying the authority of the Council of Chalcedon. He told the emperor that if, instead of publishing edicts of condemnation against the Acephalists and other Eutychians, he would only have the Nestorians who were condemned at Ephesus fully put down, all the Eutychians would join the church. He stated their objection to receiving the Council of Chalcedon to be, that in this council Nestorianism was tolerated, and that upon this sole ground they rejected the council—that this Nestorian doctrine was held by Theodore of Mopsuestia, who was treated by the council as orthodox, though it was from him Nestorius learned the errors, and that it received as orthodox the letter of Ibas of Edessa to Maris the Persian, which was full of Nestorianism; and that if those errors and their abettors were condemned by an edict, as well as the errors of Theodoret of Cyrus, in opposition to St. Cyril, the Acephalists would subscribe willingly to the edict.

Justinian wanted but an opportunity to commence new work; and now that it was afforded, he began. The party knew that if the edict were once published, Justinian, whose pride was excessive, would never retract it. They calculated thus to bring discredit upon the Council of Chalcedon, and, by the power of the emperor, force the Catholics to subscribe contradictions, or submit to persecution; but they were disappointed. Justinian published his edict condemning the three chapters—such was the appellation of those writings in 546—

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but it contained only the assertion of true doctrine.

SECTION V.

The edict of Justinian on the affair of the three chapters caused great disunion in the church. The Eutychians boasted that the Council of Chalcedon was partially condemned thereby, many of the Catholics were of the same opinion, and several others could see in the edict only the declaration of the Catholic faith, without any reproach flung upon the fathers of Chalcedon.

This is not the place for us to examine the grounds of their opinions. We only mention the facts historically. A schism between the Catholics was the consequence. Pope Vigilius, who was at Constantinople, issued a condemnation of those documents styled a *judicatum*, saving, however, all respect for the authority of the Council of Chalcedon. Vigilius also placed the Empress Theodora under excommunication, and broke off special communication with Mennas.

The *judicatum*, so far from healing the schism, increased it. Vigilius then proposed to assemble a council for the examination of the chapters; and, pressed on all sides, superseded the *judicatum* by another decree called the *constitutum*, in which, under a different formula, the same errors were condemned, and a prohibition was issued to derogate from the authority of the fathers, who had preceded those times. The Emperor and his officers ill treated the Pope in such a manner, as frequently to endanger his life; he was imprisoned to force him to acts against his conscience; and kept in a state of durance, which left his acts void of that authority to which those of a free agent only are entitled.

Meantime, in the year 553, there was an assembly of bishops held, at which very few of the westerns attended. The council was opened in the private apartments of the cathedral of Constantinople; and after the bishops had proceeded for some time in their deliberations, the Pope had the *constitutum* sent to them, and protested against the irregularity of the proceedings; however, the sessions continued, and the errors of the three chapters were condemned; and in the last session the prelates recognised, received, and confirmed the acts of the councils of Nice, Constantinople, and Chalcedon, and declared their faith to be the same as that which was defined in those four councils, and excommunicated those who would not receive all their decisions. Eutychius, the Patriarch of Constantinople, Apollinaris, of Alexandria, and the bishops, signed the acts of the council.

The Emperor still detained Vigilius in the imperial city; but having succeeded in forcing him to confirm the acts of this council in about six months, he gave him leave to return into Italy. Still the troubles caused by the tyrannical interference of Justinian, were not appeased. And although in the several documents which came from Vigilius, and the acts of the synod, there was nothing but the true doctrine of the church, the irregularity of the proceedings threw the whole transaction into discredit, and the misconstructions of the sectaries rendered doubtful the exact doctrines which were held. The council was therefore by no means generally received. Vigilius died in Sicily, on his return to Rome.

Justinian either built or repaired in Constantinople, at his own cost, thirty-one churches, amongst which, was the great church of St. Sophia, which is at this day a splendid mosque. He also, in other parts of the empire, built thirty churches, ten hospitals, and twenty-three monasteries; but he made an inglorious peace with Chosroes, the king of Persia, preferring to embroil himself and his empire in theological disquisitions, to discharging his duty by protecting his people from the ravages of enemies, and securing peace and justice for them in their temporal concerns, which had been specially entrusted to his care. This Emperor, in his latter years, fell into the heresy of the Incorruptibles, and after having been a persecutor for doctrine, a torment to the church, a defender of faith, and a violator of discipline, he died out of the pale of that church, in the year 566, having latterly begun to persecute those who held the Catholic faith, for not having followed him in his errors; amongst whom was Eutychius, the patriarch of the imperial city.

His successor was Justin II., who held the Catholic faith, and recalled all the Catholic prelates who had been banished by his uncle, with the exception of Eutychius. But though his doctrine was orthodox, his morality was corrupt. He died in 578, and was succeeded by Tiberius Constantine, who recalled the patriarch from Pontus, where he had spent twelve years in exile. St. Gregory the Great, who was afterwards Pope, was at this time nuncio from Pope Pelagius II., in the imperial city, [and] was on the most intimate terms with the Emperor and his successor. By the exertions of the prelates, who were now free to use their best exertions, heresy and schism disappeared in several parts. The patriarch

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taught, that at the resurrection the bodies would be impalpable: but upon a conversation with the nuncio, he was convinced of his error, and openly corrected it.

After a reign of four years, Tiberius died, and was succeeded by Maurice, in 582. Gregory was soon afterwards recalled to Rome, and in 590 succeeded Pelagius in the pontificate. At the close of this century, *John the Faster*, a man of extraordinary austerity of life, but also of stern manners, was in the see of Constantinople; he went in his progress a step farther than any of his predecessors, and took the title of *Universal Bishop*. Gregory wrote to reprove him for the presumption, requiring him to desist from using so equivocal a phrase, which had never been used by any bishop. Gregory, who knew well the history of the Constantinopolitan aggressions, and the ambition of the emperors to elevate the authority of that see, as well as the flattery of the provincial prelates, justly thought it would be giving his sanction to a principle of usurpation, to permit this to pass unnoticed. John answered that he did not assume the title as claiming jurisdiction over *all* the churches, but over *a great many*. Gregory, however, insisted upon the title being altogether disused. which John for a time complied with.

The Emperor Maurice was extremely avaricious. This unfortunate passion, caused him to refuse the payment of a small ransom demanded by the Khan of the Avari, for the release of ten thousand prisoners whom he had taken. This barbarian put them to death, and Maurice, looking upon himself as their murderer, was overwhelmed with grief. However, untaught by this, he ordered his troops into winter quarters beyond the Danube, that he might support them at less expense in an enemy's country. After the massacre of the prisoners, the Emperor frequently prayed that God might rather punish him in this life, than in the next. His prayer appears to have been heard and granted.

The troops beyond the Danube, displeased at their hard treatment, revolted, and chose Phocas, exarch of the centurions, as their leader, crossed the Danube, and came to Constantinople, where they proclaimed Phocas emperor. Maurice fled from the city. Many persons stating that Phocas could not reign whilst Maurice lived, a party was sent after the unfortunate fugitive, who was taken with his wife and eight children, and in the vicinity of Chalcedon they were deliberately murdered before his face, the unhappy father exclaiming frequently that verse of the 118th Psalm, *Thou art just, O Lord, and thy judgments are equitable;* the unhappy monarch himself was slain last; and Phocas thus was elevated upon a blood-stained throne. He was crowned by Cyriacus, the patriarch, who still assumed the title of *Universal Bishop*.

St. Gregory the Great, died in 604, and was succeeded by Sabinianus, whose successor was Boniface III., who, during his short pontificate, procured an order from Phocas to the bishops of the imperial city, forbidding them to use the obnoxious title which John the Faster had attempted to establish, and Cyriacus had assumed.

Phocas was deposed and put to death by Heraclius, in 610, during the occupation of the see of Constantinople by Sergius. In the year 625, Chosroes, the king of Persia, who still ravaged Judea and the eastern provinces, required as a condition for peace, which Heraclius sought, the apostacy of the empire from Christianity, and the adoption of the religion of the Persians. Heraclius rejected the proposal, and prepared for vigorous operations; and it is fit here to remark, that it was upon this occasion the Turks, who were a savage tribe in the north-west of Asia, were brought down by Heraclius into Thrace; and about this period also, Mahomet began his progress in Arabia.

SECTION VI.

In our last four publications we have made considerable progress in exhibiting the revolutions of religion in this unfortunate country; but the events thicken as we proceed; and as our object at present is not to give a detailed history of religion, but a sufficient sketch to enable our readers generally to know the manner in which each portion of the church came to its present situation, we shall not find it necessary to dwell so much in detail upon the subsequent history of Turkey or Greece. In our account of Russia, in our tenth number, we showed how the faith was introduced to the southern part of that nation: and as the northern part of what is at present Turkey in Europe, and the southern part of Russia were then occupied by the same hordes, the history of one is the history of the other. We shall still, therefore, confine ourselves to the history of Thrace and Greece.

Heraclius, having determined upon carrying on the war vigorously against Chosroes, the King of Persia, was not much occupied with theology at first. However, the various sectaries which now arose produced perpetual contention and theological disputes,

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and the speculative Greeks were ever and ever making new distinctions, and inventing new subtleties. The original errors having been with respect to the nature of our blessed Redeemer, every particle, if we may use the expression of that nature, was subjected to their examination. A new contest now arose.

Sergius, the Archbishop of Constantinople, was a disguised Eutychian, and anxious covertly to introduce his doctrines, he began with Heraclius. His imperial pupil, charmed with the care of his new preceptor, and gratified at the compliments paid to his progress in theological erudition, adopted the dictates of the archbishop as the results of his own conviction. Nor was Heraclius the only pupil of the plotting prelate. Many others were infected with the new opinions, which as yet had not been brought to full light.

Eutychianism consisted in the doctrine of the singleness of the Redeemer's nature. This doctrine had been condemned. Of course, to teach it openly would insure condemnation. But if there was only a single will, there was of course in the Redeemer only a single rational nature. Could the doctrine of this μονον θελημα or single will be covertly established, the singleness of nature would be thus taught. This first doctrine had not yet been examined nor formally proscribed, and Sergius inculcated that in Christ there was but one will, and thus he prepared the way for the introduction of Eutychianism.

Athanasius, Patriarch of the Jacobites, who were a great body of Eutychians, having been informed by Sergius of the dispositions of Heraclius, went to meet his majesty at Hierapolis, and informed him that he and his people were anxious for a reunion with the church, and that he would make such a profession of faith as would satisfy the Patriarch of Constantinople; and offered to content himself with the expression that in Christ there was only *one will*. Heraclius, anxious for this union, embraced the proposition joyfully, and declared that he would take every step in his power to have Athanasius raised to the see of Antioch.

Cyrus, Bishop of Phasis, was another of the conspirators who, under the pretext of union, peace, and charity, came to offer his services for the harmony of the faithful; and it was contrived that he obtained the see of Alexandria. Thus, without any noise, the principal sees of the East were, through the cunning of Sergius, in the power of Monothelites. Sophronius, a Syrian monk, was the first who exposed the heresy: he besought the Patriarchs of Alexandria and Constantinople in vain. They drew up a form to be subscribed by all who desired union with the church. It consisted of nine articles; and the seventh only, which contained the doctrine of Monotheletism, was erroneous. The Eutychians ran in crowds to sign it, and the emperor was gratified.

The next step was to guard against the condemnation of Rome. For this purpose Sergius wrote to Pope Honorius that a most brilliant prospect was now before them, of reuniting to the church all the contending sects of the East; that the patriarchs of Alexandria had been eminently successful; that crowds were every day flocking in to reunite themselves; and that no obstacle was raised but by the unauthorized interference of the monk Sophronius, who was creating difficulties by discussing a new question upon which the Scriptures contained nothing, and which the councils had never even entertained, and which, though many of the fathers had touched upon, still was more a question for grammarians than for bishops; and that, as all the success of their exertions depended upon peace, it was requested that Honorius would command silence upon this new topic. The artifice succeeded; and the Pope, thus deceived, wrote a letter desiring that there should be no disputes about words, and that Sophronius should not trouble the patriarch of Alexandria. Sophronius was meantime raised to the see of Jerusalem, and held a council, in which Monotheletism was condemned. He wrote to Honorius, and in return the Pope sent a second letter, in which he repeated his desire of silence upon the subject. Sophronius, aware that there must have been some imposition practised upon the Holy See, selected Stephen, Bishop of Doria, upon whom he placed the greatest reliance, and taking him to Mount Calvary, bound him solemnly, as he would account to that Saviour who there shed his blood, to go to Rome, and to lay the facts distinctly before the Pope, and gave him upwards of six hundred passages of the fathers, which clearly contained the doctrines of two wills, the human and the divine, together with scriptural texts. The Monothelites did all they could to intercept the holy bishop; but though they waylaid him in a variety of places, he arrived safely in Rome, but found Honorius had died.

Meantime Sergius composed a document, which Heraclius published under the title of *Ecthesis*, or an explanation, in 639. The doctrines of the Trinity and of the Incarnation are clearly stated in Catholic terms in this document; but there is a passage regarding the unity of will in the Redeemer,

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which is susceptible of an explanation in either sense. This document caused great commotion. Severinus was the immediate successor of Honorius; but dying after a pontificate of four months, he was succeeded by John IV., who, learning the true state of the question from the Bishop of Doria, condemned the Ecthesis in 640. Heraclius thereupon revoked the document, and informed the Pope that it had been drawn up by Sergius.

Jerusalem was taken by the Mussulmen, under the Caliph Omar, in 638; and in the following year, on the 11th of March, 639, St. Sophronius died. The Emperor Heraclius was succeeded in 641 by Constantine, who, after a reign of [more] than three months, made way for Heracleonas, and he in six months was succeeded by the Emperor Constans, in the same year, 641.

Sergius, Bishop of Constantinople, died in 638, and was succeeded by Pyrrhus, a Monothelite. This prelate, having joined with Martina and Heracleonas in their wicked poisoning of Constantine, and the usurpation of Heracleonas, fled from the city after the punishment of the empress and the usurper. Paul, another Monothelite, occupied the see of Constantinople; and he prevailed upon Constans, the emperor, in 648, to publish his edict called the Type, imposing silence on the Catholics and the Monothelites. The Type was condemned by Pope Theodore in the same year. Pyrrhus, having passed from Africa to Rome, retracted his errors, and was received into communion by the Pope: thence he passed to Ravenna, where, at the instigation of the exarch Olympius, he relapsed into his errors, in the expectation of being restored to the favour of the emperor; and Paul dying in 655, he again got into the see of the imperial city. Many of the best, and bravest, and wisest men of the empire fell victims to the relentless persecution of the Monothelites: amongst them was the holy Pope Martin, who, after severe torture in Constantinople, died of want and ill-treatment, in exile in Chersonesus.

Constans dying in 668, was succeeded by his son, Constantine Pogonatus, who was a Catholic. He requested of Pope Donus to assemble a council; but that pontiff, in 688, was succeeded by Agatho, who complied with the emperor's request, and sent his legate to preside at the synod, which assembled in Constantinople in the month of November, 680. Theodore, Monothelite, had succeeded Pyrrhus in the see of that city; and he having been deposed, his place was filled by George, a Catholic. In this council the Monothelite heresy was condemned, as were its abettors; and amongst them, Honorius the Pope had his memory censured for his criminal silence and neglect of opposing the progress of heresy. Pope Agatho dying in Rome before the acts of the council reached him, its canons were confirmed by his successor, Leo II. This is the third Council of Constantinople, and the sixth general council.

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BRIEF HISTORY OF THE GREEK SCHISM.

SECTION I.

We fear exceedingly that a pure republican form of government cannot be established by this valorous people; the miscalled Holy Alliance cannot bear a *free* government to exist within the sphere of its action. We fear that the only hope of patriotic and brave Greece must rest on the position advanced by some of her agents—even to receive a king from some reigning house in Europe. This seems to be the alternative between two evils: to choose Egyptian bondage, or European monarchy, and we can hardly blame this suffering people for preferring the latter as the *less* of the two evils. The friend of Greece and of humanity must shed a tear of sympathy over the uncertain and dangerous condition in which Greece now stands, according to the latest and best authenticated accounts from Europe.

Having gone thus far into the civil concerns of Greece, let us see a little of the religious history of this people. For the first eight centuries of Christianity, the Greek or Eastern Church was in full communion with the Western or Latin Church, and under the jurisdiction and supremacy of the Bishop of Rome, successor to St. Peter, and visible head of the Church of Christ on earth. During this period several errors were broached in the East. Much of the Platonic and pagan, or philosophy on abstract principles, existed among the Greek Christians, and by endeavouring to incorpo-

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rate or reconcile these principles with the principles of the Gospel, several errors in religion were introduced. In order to correct these errors and to establish the true principles of the Gospel, general councils of the church were from time to time convened: and so we perceive that the first eight general councils were held in the East.

The first was held at Nice, in 325, regarding the divinity of Christ, and condemning Arian heresy. The second at Constantinople, in 381, regarding the divinity of the Holy Ghost, and condemning the heresy of the Semi-Arians, the Sabellians and Macedonians. The third at Ephesus, in 431, against the Nestorians, showing that there was only one person in Christ, and that the Blessed Virgin is the Mother of God, or Θεοτοκος. The fourth at Chalcedon, in 451, against the Eutychians, showing that there were two natures in Christ. The fifth at Constantinople, in 553, respecting the errors of Origen and the Three Chapters. The sixth at Constantinople, in 680, against the Monothelites, proving that there were two wills and operations in Christ. The seventh at Nice, in 787, condemning the Iconoclasts, (image-breakers,) and establishing the doctrine of proper respect to sacred images. The eighth at Constantinople, in 869, against the schism of Photius. This proud and intruded prelate gave origin to the unfortunate separation of the Greek from the Catholic Church. Until this period both churches were under one head, and though the Eastern Church lost many members by the above-named heresies, the great body were still Catholic, and in full communion with the Catholic Apostolic Church of Rome. One fact is very striking; that though the several separatists of the Eastern Church differ from the Catholic Church, yet they agree with her in all those points on which Protestants differ from the Catholic doctrine.

The history of Photius, the remarkable schismatic, must be examined.—Bardas, the uncle of the young Emperor Michael, who then governed the Eastern Empire, gave great scandal by his profligate mode of living. Ignatius, the Patriarch of Constantinople, and son of the Emperor Michael le Begue, predecessor of Leo the Armenian, felt it his duty to tell this profligate prince how injurious his example was to Christianity. He requested of him to look at least to his own soul; but this good advice only inflamed the passion of this royal delinquent. This public sinner presented himself to partake of the Holy Eucharist on the festival of Pentecost—the patriarch refused him the Holy Communion. Bardas vowed vengeance, and formed a determination to ruin him in the eyes of the emperor. In three days after, a deputation was sent to Ignatius, requiring of him to resign his see. He resisted all promises and threats. The emperor, disregarding the canons of the church, appointed Photius patriarch. This wicked man possessed great accomplishments of mind and body, but his unbounded ambition and finished hypocrisy tarnished the whole. Having considerable property, he possessed the means of making many supporters; by his assiduous application to literature he acquired a great reputation; in ecclesiastical learning he made considerable proficiency. Having secured the patronage of Bardas, he paved the way to his nomination to the patriarchate. He was then a layman; but he contrived to get himself through the several orders to episcopacy, in *six days!* At his consecration he promised to hold communion with Ignatius, and in less than two months he declared vengeance against him and all in his communion. Ignatius is hurried from prison to prison, and most cruelly treated. Every means is employed to force from him a resignation of his see. But Photius, impatient of delay, assembles a sham council, with the support of the emperor, and declares Ignatius deposed. He also procures the deposition of all the bishops who remain firm to Ignatius; they are cast into prison, and Ignatius is exiled to the Isle of Lesbos. In the mean time Photius sends a delegation to Rome to have his own title confirmed, and the deposition of Ignatius ratified, on the pretence that Ignatius, through infirmity, was no longer able to discharge the duties of his office. Pope Nicholas was on his guard—he sends two legates to Constantinople to get a correct statement of the case. The legates are not permitted to inquire into the facts, and are told that if they do not report favourably for Photius that they will be sent into cruel exile. After long resistance they yield to the emperor's will. Ignatius is removed to the Isle of Terebintius, where he suffers much; he is thence called to assist at a council formed in order to forward the views of Photius. Ignatius intending to assist in his patriarchal robes, is commanded by the emperor to come in the garb of a simple monk—he obeys, and comes to the council, where the emperor attends; he is pressed to give in his resignation, and not yielding, he is sent away: in ten days after he is forced to return, for he declared his intention not to be present at such a council, which was held in violation of all the rules of the church. False charges are made against Ignatius; it is said that he

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was consecrated without an electoral decree; a sentence of deposition is pronounced against him; he is divested of the pallium and of his episcopal robes, and is declared unworthy of the priesthood. Photius causes him to be shut up in the vault of Constantine Copronymus; he is given in charge to three cruel guards, who strip him of his clothes and place him on a cold flag during the rigours of the winter season; he is left for eight days without food or repose: he is put into a marble tomb, and bound therein, and is left a whole night in this cruel posture; he is unbound the next day, and his hand is forcibly put to sign a deed, drawn up by Photius, to the following purport: "I, Ignatius, the unworthy Patriarch of Constantinople, declare that I have been raised to this see without an electoral decree, and that I have tyrannically governed the same." This pretended declaration is presented to the emperor, and Ignatius is set at liberty. This illustrious prelate then sends to Rome a memorial signed by the metropolitans, fifty bishops, and many priests; he relates what he suffered, and prays for redress.

Photius, not yet satisfied, advises the emperor to make Ignatius read aloud in the Church of the Apostles, at Constantinople, his act of resignation, and to cause his hand to be cut off, and his eyes plucked out. Ignatius, being informed of the whole, escapes this new persecution by flight. In the garb of a slave he retreats by night from the city, and flies to the Isle of Propontide: he suffers much in his flight, and is closely sought for by Photius.

In the mean time Photius writes hypocritical letters to Pope Nicholas, and says, "When I reflect on the great duties of the episcopal station, and on the weakness of man, and on my *own* in particular, I am surprised that any one could be found to assume such serious obligations. I cannot express my regret on beholding myself invested with such a burden. My predecessor having resigned his see, the clergy, the metropolitans, and especially the emperor, full of kindness towards others, but of cruelty toward me, and regardless of my opposition, have laid the episcopal charge on my shoulders. Thus in spite of my tears and regrets they have forced me into the episcopacy." Conscious of his own imposture, he exhibited forged letters from the Pope, which he himself had penned. The forgery was discovered, but he contrived to evade the deserved punishment. Photius was equally criminal in concealing the scandals of the Emperor Michael. This profligate prince laughed at all the ceremonies and doctrines of Christianity.

Pope Nicholas being duly informed of what passed at Constantinople, holds a council, and condemns Photius as a usurper. He writes to Constantinople, saying that he will never hold communion with Photius, unless he renounces his usurped see.

Cæsar Bardas meets a fatal end, and Photius loses his chief supporter. Michael, suspecting Bardas, gets him torn in pieces. Photius, yielding to the times, strongly inveighs against Bardas, and endeavours to merit the good graces of Michael. Many having retired from the communion of Photius, on receiving the papal mandate, he excites a violent persecution against them. He deprives some of their dignities—others of their property, and sends others into exile. On seeing that the Pope cut him off from his communion, he excommunicates the Pope in turn. * * * * To give a colouring to his proceedings, he holds what he called a general council, where the emperor presides, and some legates from the East. False charges and false witnesses are produced against Pope Nicholas. Photius pretends to take the part of the Pope, and says he ought not to be condemned in his absence. The members of the council oppose his feigned opposition, and a sentence of *deposition* is pronounced against the Pope. He sends the acts of the council to the Roman emperor for Lewis, and begs of him to banish Pope Nicholas, as being condemned by a *general* council.

This proceeding, of course, broke off all communion between the See of Rome and Photius; but to support his usurpation, Photius writes a circular to the Eastern bishops, accusing the Latin Church of errors. Behold the prototype of Martin Luther. The accusation was, that the Roman Church held that the Holy Ghost "proceeded not only from the Father, but from the Son." To the present day this is the chief point on *doctrinal* matters between the Greek schismatics and the Catholic Church.

Pope Nicholas, being informed of this charge, writes a pastoral letter on the unjust proceedings of the Greek emperor, and refutes the calumnies advanced against the Church of Rome.

The Emperor Michael still proceeds in his iniquitous career. Wishing to assassinate Basilius in a chase, he is himself killed by his own guards in a state of intoxication, and Basilius is proclaimed emperor. On the next day Photius is banished, and Ignatius is recalled from his exile. Basilius, with the advice of Ignatius, writes to Pope Adrian to assemble a general council, in order to heal the wounds inflicted on the church by the schism of Photius. The Pope sends

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three legates to Constantinople, where they are received with every mark of respect. The emperor pays them due honours and requests of them to exert all their influence to establish a reunion of both churches.

SECTION II.

Pope Adrian, having duly convened a general council to restore peace to the Greek Church, the council was accordingly opened on the 5th of October, 869, in the Church of St. Sophia, at Constantinople. The Pope's legates, to whom was assigned the first place, presented their credentials to the Emperor Basilius or Basil, by whom they are received with marks of profound respect; the Patriarch Ignatius took his seat next to the Pope's legates, then the legates from the Patriarchs of Antioch and Jerusalem. The bishops who suffered persecution from Photius were then introduced. At the close of the first session, the Pope's letter was read to the council. In the next session, those priests and bishops, who yielded to the violence or persuasion of Photius, presented themselves, and explained the rigorous treatment employed by Photius in order to bring them over to his usurpation. They said they were chained, cast into hideous dungeons, and supplied with the most offensive food; they, however, expressed their sorrow for having fallen.

By order of the legates, Photius attends at the fifth session; on his appearance, they exclaim, "is this Photius who has caused so much trouble in the Church?" Photius affects a profound silence, quotes some texts of Scripture, false in their application, and offensive to the council; he persists in his silence—he is required to yield to the voice of the council—he answers by reciting more texts of Scripture, which did not bear on the question, and which only exposed his hypocrisy.

The Emperor attends at the sixth session; the bishops favourable to Photius are present, and on being convinced of their error, the greater part renounce the schism. Photius is again exhorted in the seventh to submit. He replies that he has no answer to make to calumny. In the eighth session, the imposition and foul means practised by Photius, in order to create and continue the schism, are investigated and fully detected. Many of the *image-breakers* abjure their error. In the ninth session, penance is imposed on the false witnesses who were procured against Ignatius. When the partizans and accomplices in crime of the Emperor Michael, are arraigned for their wicked proceedings, they advance as an excuse the threats and menaces of that prince.

At the tenth and last session, the emperor, with his son, Constantine, attends; the three ambassadors from Lewis, Emperor of Italy and France, and those from Michael, King of Bulgaria, are present, and about one hundred bishops. They approve of the seven general councils—confirm the sentence of Popes Nicholas and Adrian against Photius. Twenty-seven canons of discipline are drawn up, and a confession of faith against the errors of the "Monothelites and Iconoclasts."

The pride of Photius would not submit; for the space of eight years, which he passed in exile, he is devising means for his restoration. He endeavours, by a singular stratagem, to secure the favour of the emperor Basil. He frames a genealogy, in which he flatters the pride of the prince by tracing his origin to Tiridades, King of Armenia, and enriches this genealogy with a *prophecy* "that the reign of Basil would be more illustrious than any of his predecessors." Photius transcribes this fictitious narrative on three old parchments, and envelopes them in a moth-eaten cover, and thus couched sends them to Theophanes, the emperor's secretary, with whom he had previously compounded on the subject.

Theophanes shows this roll to the emperor as being the oldest and most curious manuscript in the library, and says that nobody is able to read or explain it but Photius. Basil, ignorant of the deception, yields to the impulse of vanity, recalls Photius, receives him kindly, and gives him free access to his presence.

Ignatius falls dangerously ill in the 80th year of his age. On the 24th of October, while the divine office was reciting at midnight, Ignatius inquires whose feast the church celebrated on the next day—he is told that of St. James, called the brother of our Lord—he answered, that is my "patron" saint, and having given his benediction to his clergy, he slept in the Lord. The Greek and Latin Churches honour his memory on the day of his death.

Photius, finding Ignatius, the great obstacle to his ambitious views, no more, he assumes once more the patriarchal chair, and persecutes the friends and adherents of Ignatius, and all in his communion. He gains over some by promises, others by threats, and those who remain faithful, he puts to death. He gains over the two legates sent by Pope John to Constantinople, regarding some ecclesiastical matters in Bulgaria. He sends delegates to Rome with insidious letters, in order to have himself recognised

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the *legitimate* patriarch of Constantinople. He convenes a council, which he endeavours to render as numerous and as respectable as he could. He contrives to make it appear that the Pope recognises him as a brother patriarch. He is then extolled as a prodigy of learning, moderation, and piety; he induces the Roman legates to declare him as legitimate patriarch, and to condemn the proceedings of the eighth general council. The Emperor Basil assists at the sixth session of this sham council, where they rescind that article of the general council of Constantinople, which decreed that "the Holy Ghost proceeds from the Father and the Son."

Yet iniquity cannot prevail; Pope John being informed that Photius did not demand pardon for his past transgressions, and that he endeavoured to revert the sentence declared against him by a general council, he, the Pope, rejects him and his false council. The succeeding Pontiffs, Martin, Adrian III., and Stephen V., equally condemn the proceedings of Photius.

The Emperor Basil died in 886, and is succeeded by Leo VI., surnamed the Philosopher, who was fully aware of the iniquitous and schismatical acts of Photius—this great schismatic is exiled to the monastery of the Armenians, where he soon finished his evil career. Peace and unity are restored to the Greek Church.

We have endeavoured to compress these facts into as narrow limits as possible, in order not to weary some of our readers, who appear to have a great aversion to lengthened discussions. Unfortunately we have no good ecclesiastical history in the English language. The histories in Latin and French are rather voluminous, and hence it is no easy matter to collect a good account of church concerns in a few pages; it would be much easier to give copious extracts than succinct narratives on such matters, but our time and labour are for the public and so we shall spare no pains to satisfy them.

SECTION III.

In the death of Photius the schismatics lost their head and chief support: the great portion of the people returned to Catholic ministry and truth. The letters and works of Photius being in considerable circulation kept alive the spirit of disobedience to the mother church. Though the materials for fresh schism were for a considerable time ready to burst forth into open insubordination, yet it was not till the year 1050 that the brand of discord was violently hurled into the bosom of the church by Michael Cerullarius, Patriarch of Constantinople, and a bold proselyte to the views of Photius. Many of the Greek bishops were anxious for some occasion of renewing the schism, and of finding some resolute champion in their cause. The Patriarch of Constantinople had lately assumed the title of "Universal Bishop," knowing well, that such a step would not pass unnoticed by the Pope. Italy was at this period in a divided condition, and the seat of war and desolation, and from the intrigue and influence of some corrupt chieftains and princes, some unworthy men were raised to the papal chair, which they dishonoured by their irregular lives, and which brought scandal on the church, and sunk the papal authority in the esteem of the Greek church.

During this state of affairs, Michael Cerullarius writes a letter to one of the Latin bishops, which at once revives and propagates the old schism. He attempts to prove to all the Latin bishops, that Christ, after having celebrated the ancient "Pasch" in "Azymes" or unleavened bread, instituted the pasch or eucharistic sacrifice of the new law, in leavened bread, and hence Cerullarius charges the Latin Church with error; he also accuses the "Latins" for shaving their *beards*, for fasting on Saturday—for eating strangled meat, and for inserting the word "filioque," "*from the Son*," in the Nicene Creed, and thereby expressing their belief of the Holy Ghost proceeding from the *Father* and from the *Son*. He brings other charges equally false and frivolous against the church, in that the kiss of peace is given at mass before the communion, that "alleluiah" is not sung in Lent, and that due respect was not paid to the memory and relics of the saints: he concludes by saying that as soon as the Latin church will correct these errors, that he will send other important communications; this at once put the schism beyond the hope of a reconciliation.

Cardinal Humbert, having read this letter, translates it into Latin, and sends a copy of it to Pope Leo IX. The Pope replies in a long letter, wherein he first complains of the conduct of those who were endeavouring to disturb the peace of the church; he then adds, "Is the Church of Rome, after the lapse of more than one thousand years since the passion of our Lord Jesus Christ, now to begin to learn how to celebrate the 'institution' *of the last supper?* Are the instructions of the apostles Peter and Paul, then of no use?" The conclusion of this letter is worthy of the common father [and of] Rome.

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"Let the Greeks follow the traditions of their fathers. We know that the difference of customs, according to times and nations, is not injurious to salvation, provided we be united in faith and charity."

In the mean time the Emperor Constantine Monourachus, wishing, through political motives, to keep in with the Pope, wrote him a letter in which he expressed his anxiety to support the union of both churches, and he induced Cerullarius to write to the same effect. On receiving these letters, Leo replied, and sent three legates, of whom Cardinal Humbert was the chief. In the letter to Cerullarius the Pope styles him merely Bishop of Constantinople, which was not conducive to reconcile one to the Catholic Church, who seemed so desirous of schism. The legates were respectfully received by the emperor, and Cardinal Humbert replies to the letter of Cerullarius, in which he fully vindicates the Roman Catholic Church from the charges of Cerullarius. He shows that Jesus Christ celebrated the eucharist in *unleavened bread*, and supported with the great body of commentators that Christ celebrated the *legal* "Pasch," which could not be celebrated with any other but *unleavened bread*.

This answer made no impression on Cerullarius; he refused to see or communicate with the legates.

They indignantly expressed their displeasure at his conduct: perhaps they went too far. They went to the Church of St. Sophia and laid on the altar a sentence of excommunication against Cerullarius in presence of his clergy and flock; they then retired, and shook the dust from off their feet, exclaiming, "May God behold him and judge him." The form of excommunication ended with these words, "By the authority of the blessed Trinity, of the apostolic see, of the seven general councils of the Catholic Church, we subscribe to the sentence of excommunication pronounced by the Pope. and say, let Michael Cerullarius, the pretended patriarch, guilty of many crimes, and Leo, the Bishop of Arcadia, and all their followers, be separated from the church, until they be converted and do penance. *Amen, Amen, Amen.*" They also forbid the laity of Constantinople to receive the holy communion from any clergyman who attributed errors to the Latin Church. Finally, they received their passport from the emperor, and [some] presents for the Pope. Such a proceeding increased the schism instead of subduing it. Cerullarius, highly incensed at this act, issued a counter-decree: this decree bore his name and those of fourteen metropolitans, and declared that these legates, in attempting to corrupt the holy doctrine, were condemned by the emperor.

The Greeks after this could not bear the idea of a reconciliation with the Latin Church. They mutually encouraged each other to support the schism. They supposed that the hasty proceedings of the legates fully justified them, and erroneously attributed the faults of three individuals to the whole body of the Catholic Church. This is a common way of acting with all separatists. The schism then considerably extended its pestilential influence. Cities and provinces were soon involved in the vortex, and it came at last to such a pitch. that the Greeks looked with more indignation on the members of the Latin Church. than they did on the very pagans. Such are the evil effects of passion, disappointment, and the violation of Christian unity. We see to the present day the same melancholy effects produced by similar feelings. Would to God! that we all had but "one heart and one spirit," like the primitive Christians.—May the God of peace and charity infuse into us, his Holy Spirit of unity.

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WORKS OF DR. ENGLAND.

PART III.

MISCELLANEOUS.

EXPLANATION

OF A CHURCH, THE VESTMENTS OF THE CLERGY, AND THE NATURE AND CEREMONIES OF THE MASS.

[An explanation of the Mass, somewhat differing in a portion of its contents from this, was prefixed by Bishop England to his English Missal; but the similarity of the two Essays is so great, that it has not been thought necessary to publish both.]

To his Eminence Cardinal Weld, &c., &c.

My Lord Cardinal:—Had I written a book worth dedicating to your Eminence, I should be gratified by your permission to inscribe it to you. These few sheets are yours by a better title; and when I offer them, I can only express my regret at their unavoidable imperfection.

Your Eminence felt very properly the great inconvenience to individuals, and the serious injury to our holy religion, that continually arose from the want of any sufficient mode by which those numerous and respectable strangers, whose most familiar language was English, could be made acquainted with the nature and object of that ceremonial which they had perpetually before them in this city.

The weighty, numerous, and important avocations that engrossed your attention, prevented your Eminence from executing a task that you were desirous of performing; the other clergymen who were qualified for such an undertaking, were too much occupied by their ordinary duties; and the business which I had at the Holy See not appearing then to be in so forward a state as to require my immediate and continued attention, you suggested to me the utility of preparing such an explanation as would be of service for the Holy Week that was approaching, and might form the basis for a more perfect work.

Entering fully into the views of your Eminence, I undertook the task; and during the last three or four weeks, have, at such intervals as I could devote to it, compiled this explanation of the Mass.

From the manner in which it has been composed, and drawn, as it were, from my pen to the press, with scarcely a moment for reading what had been written, it must necessarily have great imperfection of style: but I feel confident that it is accurate in its statement of facts, and reference to authorities, as I was most scrupulous in having the very passage of every author to whom I refer, before me whilst I wrote.

As probably the greater number of those for whose use it is designed, are unfortunately separated from our communion, and as I have generally found on both sides of the Atlantic, that however well educated and extensively informed such persons might be upon other subjects, they had the most incorrect notions of our doctrine, very little knowledge of its distinct separation from our discipline, and scarcely any idea of the history of the latter, it became necessary for me to enter into expositions somewhat more in detail than I otherwise should have done: for it would be folly to expect that

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the ceremonial could be intelligible to persons who had not some information upon those points. I was the more encouraged to this, from the spirit of candour and desire for information that I have, in most instances, found amongst the better educated and more polished classes of our separated brethren. Hence explanations will be found upon several of our controverted tenets; but neither the nature of the compilation, nor the circumstances under which I was placed, gave any opportunity for exhibiting the proofs by which our doctrine is sustained. These elucidations, therefore, are divested of any semblance of polemical discussion. I trust they will be read in a spirit corresponding to that in which they were written; that of respect for the feelings and understandings of those from whom we differ, but with an unshaken conviction on our part, that we hold to the original doctrine and divine institutions, from which so lamentable a departure has been made.

Having prepared, in the first instance, the explanation of the Mass, because in nearly all the other ceremonials continual reference must be made either to some of its parts, or to some of the doctrines whose exposition it has drawn forth, I am now about to commence upon the peculiar observances of the Holy Week, though much more closely pressed by my other business than I had expected. However, I trust I shall experience from the very eminent, venerable, and amiable Cardinal Pedicini, prefect of the Congregation of the Propaganda, a continuation of that indulgence I have already met with at his hands, so as to be permitted to finish this little work. And as your Eminence is so useful a member of that congregation, I must also take this opportunity of testifying, that not only in regard to the business of ordinary duty that brought me in connexion with them, but likewise with respect to whatever might benefit me, and especially the help necessary for what I have thus undertaken, I have received the kindest attentions from every officer of that valuable establishment; and in a way which I can never repay, and cannot revert to, but with most grateful recollection, the marked friendship of its zealous, laborious, useful, and enlightened secretary, Monsignor Castracane.

Permit me, my Lord Cardinal, to add, that few circumstances in life have afforded me so much satisfaction as those which placed me in the hands of your Eminence, as the instrument for at least commencing a little work, which some one with more leisure and better abilities, would perhaps, at a future day, bring to a more valuable and useful form. Though many years have elapsed since I first heard from one of the brightest ornaments of the English missions, the learned Bishop Milner, and one of the most illustrious members of the Irish Hierarchy, the venerable Bishop Moylan, the eulogium which you then deserved, it is only a short time since I have enjoyed the opportunity of being, by observation, convinced that neither they nor the late venerable Pontiff, who placed you in the station your Eminence now fills with so much credit to yourself and benefit to the church, over-estimated your merit. One other circumstance adds much to the gratification which I have thus experienced; that in the Cardinal who to-day labours for the progress of religion in the United States, I recognise the Acolyth, who nearly forty-three years ago, in the chapel of his family castle, bore the censer at the consecration of the first prelate of the American Hierarchy. Yes, my Lord Cardinal, it is to me a great consolation, as an American bishop, to have been thus employed by a member of the august senate of our church, who, emulating even as a youth the fidelity of ancestors, that through a desolating persecution of centuries had preserved their faith uncontaminated, himself officiated at the consecration of John Carroll, the patriot, the missionary, the prelate, the metropolitan, the sage, and I trust the saint. Precious, indeed, to an American Catholic is every circumstance connected with the memory of that great and holy man, who, in the almost boundless land of his nativity, first cultivated with success, under the auspices of Pius VI. that grain of mustard seed, which rapidly growing to a mighty tree, and, protected by Gregory XVI., is now extending its branches not only above an enlightened community reposing in peace under its shadow, but even to those unhappy children of the desert, who have long been exposed to the scorchings of infidelity and suffered from parching thirst after the living stream of the Gospel.

I have the honour to be,
My Lord Cardinal,
Your Eminence's most devoted,
Respectful, and obedient servant,
† JOHN, *Bishop of Charleston.*

Irish College, Rome, 5th March, 1833.

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EXPLANATION OF THE CEREMONIES OF THE MASS, &c.

The Mass is believed by Catholics to be an unbloody sacrifice in which by the power of God, the institution of Christ, and the ministry of the priest, the body and blood of our blessed Saviour are produced upon the altar, under the appearances of bread and wine; and are there offered to the Almighty, not only as a propitiation for the sins of mankind, but also in testimony of the adoration or homage which is his due; in thanksgiving for benefits received, in which view it is eucharistic; and to beseech future favours, whereby it is impetratory.

It is not therefore a mere prayer in which a public minister leads a congregation; but it is the performance of a solemn act of religion, the nature of which is fully understood and appreciated by those who assist, even though they should not hear a word that is spoken, or if hearing, should not understand the exact meaning of the language that is used. By the divine institution of old, it was in some instances regulated, that the priest who ministered on behalf of the people, was not only not heard by them, when he prayed, but not seen by them when he offered incense. Yet though several, who for want of opportunity, are not aware of the grounds for using, generally, the Latin language on this solemn liturgical occasion, are apt hastily to condemn the practice; it is believed that if they knew these reasons they would deem them sufficient: a few of the principal shall therefore be briefly mentioned.

First. The Catholic Church had its origin at a period when this language was generally used through the civilized world: the great doctrines of our holy religion were therefore not only conveyed to several nations in this tongue, but in this they were at an early period recorded: and those records, whether they be inspired writings or others which though not so precious yet are highly valuable, will be rendered most useful by having the liturgy in the same language.

Next. Some of the most ancient liturgies were compiled in Latin. And as it is now a dead and an unchanging tongue, not only shall we have the most perfect evidence of the authenticity of these compilations, but also the certainty of our belief corresponding with that of their compilers, by preserving their ideas through the use of their own language.

Again. Though scattered through so many various nations, from the rising to the setting of the sun, and from one pole to the other, Catholics not only have the same faith, the same ecclesiastical government, and the same sacraments, but also the same sacrifice: it is, therefore, exceedingly convenient that they should, in regard to these great and important subjects, as far as may be, have only one language: so that however separated, by rivers, by mountains, by seas, by climate, by customs, by modes of government, and all the other circumstances which create so much diversity upon the face of the earth, they might find themselves united by this great bond of communion at the holy altar, in the house of their common Father, before the throne of their one God, in hopes of mercy through their only Redeemer. Thus, be their vernacular tongue what it may be, their colour dark or fair; whether they first breathed upon the banks of the Ganges or the Tiber, of the Mississippi or the Danube, whether migrating from Siberia or Peru; the common language of their common faith, is that of the ministers of the church which offering this clean and holy oblation from the rising of the sun to the going down thereof, collects her children from all tribes and tongues and nations, into one fold under one Shepherd. The priest by this regulation can officiate at every altar, the faithful find themselves everywhere at home: notwithstanding all other varieties, the sameness of the language and the sameness of the ceremonial prevent their being strangers in religion.

The language of Peter, of Mark, of Cyprian, of Augustin, of Ambrose, of Jerome, of Gregory, and of so many others, who in the early days of the church, extended her faith and exhibited her perfection, is that which is preserved by her to-day: by it each prelate is the judge and the witness of the unchanged doctrine of his fellow-labourers; by it the head communicates with the members; and from its preservation many other benefits not here adverted to arise. One inconvenience only, that of its supposed unintelligibility, can for a moment be urged; but when weighed against so many advantages, this is exceedingly light:

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besides, it is generally removed by the fact that translations of the liturgy may be had in almost every living language, and the consideration, that as the Mass is not a common prayer, there is no need of knowing the precise meaning of the words, when the nature of the action itself is fully understood. Neither is the Latin so unintelligible to Catholics, as their separated brethren imagine. A liturgy in a vernacular tongue is indeed intelligible to that nation, in which that tongue is used, but its benefit is confined within the limits which circumscribe that people. It might suit a national establishment, but is not adapted to the service of that church which is Catholic, that is universal; a church which has existed in every age and which is found in every nation.

Ceremony is of two kinds: that which is of divine institution, and that which is of ecclesiastical origin. Of the first some is so essential that it cannot be either omitted or seriously changed without altogether defeating the great object of the institution itself. Other ceremonies though highly venerable because of their origin, and their object, yet can by no means be placed on a level with the former. The remarks that follow are to be considered as restricted to the latter.

The objects of ceremony are public decency, distinction of officers, instruction and edification. The power of modifying it according to time, place, and other circumstances, exists of course in the proper legislative tribunal of the church, and it would be well to observe that the exercise of this authority is perfectly compatible with the unchangeable nature of doctrine, as also that its existence in the proper tribunal does not warrant its assumption by subordinate bodies, much less by unauthorized individuals.

Amongst ceremonial regulations one of the first regards the official dress. This is not peculiar to ecclesiastics; similar regulations exist in halls of justice, in the army, in the navy, in a variety of other institutions. Though during the first ages, in many instances, the policy of the church, because of the danger of persecution, was rather the concealment than the exhibition of her officers, yet under those circumstances which afforded the opportunity, we find that her prelates and her priests were distinguished, as were also her minor clergy, from the great body of the faithful, even by their vesture. The principle had not only been approved but introduced and established by the Lord God himself, when he regulated the splendid ceremonial of the Judaic rite. Nor are we to infer from the rejection of its transient and figurative special observances at a period when their object had been fully attained, that this principle was condemned. Yet is the peculiar costume of the clergy far from being one of the essentials of religion; though thereby beauty is given to the house of the Lord, the several orders and their attendants are easily and properly distinguished, and to the instructed observer, deep lessons of pure religion and practical piety, are easily, rapidly and impressively communicated.

In the sacred vesture, the antiquarian will discover the greater portion to consist of the ancient Roman robes of state, somewhat changed in form, and with some few additions either for convenience or ornament. This ancient costume consisted principally of the toga and trabea. These observations are confined to the vesture used at the celebration of Mass: the garments worn on ordinary occasions are to be considered rather matter of private or social regulation: they differ not only in different countries, but according as the clergy belong to different religious associations: even in the same city they vary exceedingly; some priests, for instance, follow a rule of life written by St. Augustin, others a rule compiled by St. Benedict, some a rule formed by St. Francis, others the rule of St. Dominic, others that of St. Ignatius; some devote themselves to labour for the redemption of Christian captives, others to foreign missions, some to the education of youth, others to the service of parishes, and some to the care and ceremonial of churches: more than one hundred societies seek as many modes to sustain religion. This great variety of priests of the same faith, and the same order, striving however to promote a common object. the service of God and the salvation of souls, in so many different ways, all under the sanction of their common mother, the Catholic Church, and with the approbation of their common father, the Pope, presents to the stranger an inexplicable diversity: but to him who understands their institute, their various costumes exhibit not only their respective occupations, but also frequently furnish very curious information respecting the customs and habits of the ages and nations in which the several orders had their origin.

Before we proceed to examine the dress, let us become acquainted with the edifice. We shall now consider a Catholic church as a Christian temple, erected for the purpose of having the holy sacrifice of the Mass offered therein. This sacrifice is made upon an altar, which is a table sufficiently large to sustain the offerings, the book and other necessaries. Though there may be seve-

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ral altars in a church, we shall confine ourselves to one: this is generally more conspicuous than the others, and is called the principal or high altar. Formerly the holy sacrifice was offered in the catacombs, upon the tombs of the martyrs. And frequently since that period, when splendid temples were erected, their bodies or remains have been removed from those obscure resting-places, and enshrined in rich sarcophagi, over which the table of the altar was placed. The relics of other saints have been also, in several instances, thus entombed. The altar indeed is erected only to the adoration of God, but it is also under the invocation of the saint; and though that happy being, formerly our fellow-mortal on earth, but now through the merits of the Redeemer, glorified in heaven, is invoked to unite his suffrages with those of his fellow-servants in this vale of tears, whilst they surround this table, yet it is to God alone this sacrifice is offered, to him only adoration is paid. Some of the best and most ancient interpreters of the sacred volume inform us that the splendid description of the Apocalyptic visions given by St. John in the fourth and following chapters of the book of Revelations, corresponds so exactly to the mode in which the holy sacrifice was offered solemnly in the Eastern church about the period when the Evangelist was confined in the island of Patmos, that it is very probable, the vision was nearly its exact counterpart, and that what the opened heavens exhibited in superior splendour, only more gloriously showed forth what the fervent Christians practised here below. Like Him who was seated upon the throne in the midst of the four-and-twenty elders, and the four living things, the bishop presided in the midst of his clergy with burning lights before his seat, whilst from the evangelical narratives, unceasing praises were given to the Holy One of heaven, eternal, and supreme. In the midst of this chaunting assembly was the Lamb of God who takes away the sins of the world; He was exhibited as if slain yet living: before this Redeemer who saved the nations by His blood, those whom He made priests poured forth from their golden phials, in aromatic odours, the fragrant prayers of the saints, whilst their melodious voices and sweet instruments, in rich harmony, rendered to the coequal Victim the same homage that was given to Him that was pre-eminent above all.

The rapt Evangelist beheld under the heavenly altar, where stood the immolated lamb, the souls of those slain for the word of God. Glorious in their blood, they reposed in celestial bliss until their expected companions should arrive; whilst under the altars upon the earth, their bodies rested honourably enshrined in those places where the lamb was produced as slain, and offered in the midst of the holy choirs below. But they were to remain a while separated from their souls, and their vindications, as it were, delayed until the number of their brethren should be filled up: then would those bodies that had been sanctified by the waters of baptism, enriched with the christmatic unction, fed with the body of the Lord, bodies which had been the very tabernacles of the Holy Ghost, and the instruments of so many works of virtue and of power, spring at the Archangel's summons from their lowly beds, gloriously ascend to their expecting souls, and in their restored flesh see God their Saviour. Until that awful but glorious day, it is a pious custom to preserve in veneration here below, those relics, which for eternity shall be placed by the Almighty in the splendid mansions of his heavenly court. Thus they are not only kept within the altar, but also in other parts of the church.

Frequently, too, the edifice is decorated with paintings and statuary; the subjects are naturally connected with religion, representing persons or actions described in the sacred volume, or those of a period more recent than that at which its narrative closes. It is asserted that miracles have been wrought by the Almighty through the instrumentality of some few of those. That it was in his power to perform the miracle, and that he might have used these as instruments upon the occasion, are truths so plain as to be obviously unquestionable; but it would be equally a departure from the common principles of prudence to admit, or to reject every such statement without any examination of the grounds upon which it rested. The principle of true religion is indeed the principle of common sense, and by this we are informed that our faith does not demand our belief in the truth of any particular miracle not recorded in the Holy Scriptures, though undoubtedly several others have been wrought. Without, however, casting unbecoming reflections upon statements, of whose truth we are not fully satisfied, we may indulge our piety where our understandings are convinced, and also pay to the intellect and disposition of those who believe more than we do, and who act accordingly, that homage which we expect for ourselves; full liberty of thought and action, where they have not been restrained by the divine law, together with the courtesy due from one rational and religious being to his fellow.

The crucifix or image of the Saviour in his state of bloody immolation, is very ap-

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propriately placed upon the centre of the altar where that commemorative immolation is to be made. On each side candles are lighted, not only as a token of joy, but also as by their blaze they mystically exhibit the descent of the Holy Ghost in the form of tongues of fire for the purpose of endowing the Apostles, the first ministers of the Catholic Church, with power from on high, to perform the stupendous works for which they were commissioned by an incarnate God. For it is not by human power, but by the operating influence of that sacred Spirit that the mighty change is to be effected upon that holy table. St. Jerome informs us that more than fourteen centuries ago, they were accustomed as an ancient usage in the East, to have burning torches even under a blazing sun, when the Gospel was proclaimed; thus exhibiting not merely their gladness at hearing the enlightening truths, but by the very glare showing how this emanation from the orient on high shed its cheering and invigorating influence upon those who sat in darkness, and in the shadow of death.

How often has the well-informed Catholic, whilst his soul was absorbed in these instructive recollections, been drawn aside from his devotional feeling and induced to pity some self-sufficient stranger, who, without a single idea of the nature of the objects by which he was surrounded, passed his irreverent and indiscriminate censure upon all that was venerable for its antiquity, useful for its instruction, and calculated to cherish piety, by arresting the attention and fixing it upon the most important truths of redemption? How often, too, alas! has the careless Catholic been himself an unmoved and an indifferent spectator of a scene, with which he has, perhaps, been too familiar, and which by reason of his negligence, has ceased to produce upon him those effects for which it was originally intended, and to produce which it is so admirably calculated!

The altar is a consecrated stone. This has been the case during upwards of fifteen hundred years, previously to which period, no law prescribed any particular material. The table upon which the Holy Eucharist was first consecrated by the Saviour of the world, and of course upon which the divine oblation was first made, was of wood. And there is every reason to believe, that it is the same which is still preserved and shown at the church of St. John of Lateran. Those which were used by the Apostles were probably also of wood. Two of those used by St. Peter are shown in Rome, one of which is preserved in the high altar of the same church of St. John, upon which only the Pope celebrates: the other, that is in the church of St. Pudentiana, is believed to be that upon which this apostle offered the holy sacrifice in the house of the senator Pudens. But the mystic reason for the law which requires at present a different material is, that the altar itself should represent Christ, who is the rock of salvation, upon which are raised the members of that spiritual edifice which constitutes his church. It is covered with linen cloths to denote the purity, as various additional ornaments exhibit the richness of the other virtues expected in all who approach to so holy a place. The church also, by the very colour of the front of the altar, and of the vestments, teaches her children the nature of the solemnity which she celebrates. Thus for instance, white is used upon the great festivals of the Trinity, of the Saviour, of his blessed mother, of angels, of saints, who without shedding their blood gave their testimony by the practice of exalted virtues, and on some other occasions. Red is used on the feast of Pentecost, when the Holy Ghost descended in the form of tongues of fire; on the festivals of martyrs and the like. In times of penance, violet is used, green on days when there is no special solemnity, and black on Good Friday, and on occasion of offices for the deceased.

The bishop or priest who is to celebrate Mass must be fasting from the previous midnight: for one of the most ancient laws of discipline, testified as existing in every age, and believed to have been first introduced by St. Paul at Corinth, requires that not the smallest particle of food, solid or liquid, shall have been swallowed before the Holy Eucharist. The object of this discipline was, in the first place, to remove altogether the great scandals of which the apostle complains; and secondly, to excite the highest veneration for the sacrament, and to cause the most perfect preparation to be made for receiving, which of course must necessarily be done by the celebrant. Frequently when a bishop celebrates solemnly, he reads several psalms selected for that purpose, together with certain prayers, near the altar, before his attendants bring him the vestments; on other occasions he reads them privately as the priests do, before coming to the sacred robes.

Whatever may have been the original use of the several vestments, the church has attached to each of them mystical or figurative significations; to some of which allusion is made by the celebrant, in a prayer which he recites when he clothes himself therewith. It has been previously remarked that they consist of the toga and trabea, with

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some few additions. The first vestment is one of those additions now generally called an amict: this is a large piece of linen, not unlike an open kerchief or shawl. It is first placed on the head, next on the shoulders, and then brought round the throat: and for the more convenient fastening of it, ribands or strings are attached to the upper corners, by means of which, after having been adjusted, it is kept in its place.

The general remarks explanatory of this portion of the vesture will equally apply to all others. We are led to seek for the period of its introduction, for its natural utility or convenience, for the mystical or instructive meaning as referring to the Saviour, and for the same as regards the person who is clothed therewith.

Previously to the introduction of neck-cloths by the Croats, after the ninth or tenth century, the throat was quite uncovered, nor was there any usual head dress, save hoods, or helmets; hence, in the earlier ages, the head and neck of the clergyman, without some precaution, would have been exposed to the cold and damp air of the churches, at hours when its effects were exceedingly dangerous, especially to those who, after loud reading or chaunting, were obliged to remain under its influence. To guard against this inconvenience, therefore, a large linen cloth was thrown over the head, and hung down upon the shoulders; but when the wearer was about to officiate at the altar, he respectfully uncovered his head, and enveloped his throat. It was introduced for this purpose at a very early period, and indeed a similar custom seems to have existed in some places, even before Christianity. Without, however, entering into a disquisition respecting the precise date of its adoption, it is sufficient to remark that we find the amict used in the very early ages of the church, and are not able to point out the places or time when it was first made an ecclesiastical vesture. By many it is said, and with great probability, to correspond to the ephod of Judea.

As the sufferings of the Redeemer became the great subject of the Christian's meditation, the church availed herself of every object presented to the observation of her children, especially in the temples, to assist their recollection. She therefore gave to everything used in the sacred edifice a mysterious signification. She told the observers that when they beheld the clergyman, with the amict on his head, it should be to them the occasion of recollecting how, for the salvation of the human race, He who for us became the outcast of his nation, was blindfolded, and buffeted, and covered with spittle; hence they should learn of Him to be meek and humble of heart. To the clergyman himself, in giving this clothing on the day of ordination, she communicated also the admonition, in the words of the bishop, that the amict should remind him of the prudence and caution to be observed in his speech by abstaining from idle conversation, and reserving his voice for chaunting the praises, or proclaiming the glories of his God. The prayer used by the clergyman while clothing himself therewith, reminds him of the necessity of heavenly protection against the enemies of his soul, for he beseeches the Lord to guard him against the assaults of the devil, by the helmet of salvation. Some clergymen still wear the amict on the head during the first part of the Mass.

The alb and cincture, though now separate, were united in the ancient toga. The alb, as its name denotes, is a white garment, and is put on after the amict; it was the state dress of the gentry and of several public officers of Rome. On the occasion of festivals, the toga was white: when the wearer was unoccupied, it flowed loosely about his person: when he was engaged in business, he was *accinctus*, that is, his toga was girt up, and fastened about him. The alb was so generally used, that we have scarcely an instance of its omission in any of our descriptions of a Christian ceremonial. In subsequent times, indeed, the surplice and rochet, which are smaller white dresses, came into use for the clergy who were not attending in the performance of any of the more solemn functions; but the alb and cincture were always retained by those who were occupied in the principal duties. The beholders saw in the alb, the Saviour clothed in the white garb, and sent back by Herod to Pilate, despised as a fool; and hence they learned not to be ashamed at sometimes finding that the worldly wise, misled by their own self-sufficiency, derided and mocked the sacred institutions of the Saviour, or the solemn observances of the church. The same vesture admonished its wearer of the purity of mind and body, which should in the sight of heaven decorate him who, professing to put off the old man with his works of darkness, appeared as a son of light in the splendour of his raiment, near that Lamb upon which he undertook to attend. The cincture reminded the faithful of the cord which bound their victim, when He was dragged by a tumultuous rabble from tribunal to tribunal; whilst he who girt himself therewith for the duties of the ministry, prayed upon the principle and in the spirit of the Saviour's own monition, that

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he might obtain grace to restrain his unruly desires, and be thus enabled to afford the brightness of holy example.

The priest is also commissioned to aid in announcing the Gospel; he is a herald of heavenly tidings; he is an instructor of the people; to preach is a part of his office. Formerly the public orator wore a long roll or piece of folded linen thrown over his shoulders, and depending on either side in front of his person, thus having somewhat the appearance of the border of a Persian stole. It was generally used for the purposes to which public speakers now apply handkerchiefs; hence it was by some called *Sudarium*, or towel; by other writers it was called the *orarium*, for which various explanations may be found; but latterly it is known as the stole. In process of time it became decorated: the principal of its ornaments was the cross, which generally, in one way or other, became the discriminating token of the several pieces of ecclesiastical furniture. The priest retained the stole as emblematic and instructive, though upwards of twelve centuries have elapsed since its primitive use was discontinued. He now crosses it on his breast when he is about to celebrate Mass, and binds it in its place with the cincture.

The faithful are told that it should remind them of the manner in which the Saviour was bound to the cross when he was slain for our offences; and as it forms a sort of yoke laid on the shoulders, the wearer, as well in the admonition which he received, when first vested therewith at his ordination, as in the prayer which he recites when he is about to put it on, is referred to that of the blessed Jesus, who can so enable him to bear the burden of his duties, as to find them a light labour of love, and so to persevere, under the yoke of the divine law, as to find it sweet here and conducive to happiness hereafter.

When the destination of the stole was changed, the maniple supplied its place. This was a handkerchief, thrown over the left arm, and deriving its name from the Latin word *manus*, a hand, either because it was carried on the hand, or, as some will have it, because it was a handful. Others say it was so called by change from *mappula*, a handkerchief: it soon became ornamented, and is now retained only for a similar purpose as the stole. It reminds the congregation of the cord by which the Lamb of God was bound to the pillar, when he was scourged for our sins: as it is a sort of oppressive weight upon the arm, it teaches the wearer that if he performs with fidelity his portion of the irksome labour in the Christian field, he will be brought with gladness to the recompense. The prayer is to obtain from heaven the grace necessary for this purpose.

The ancient trabea was a robe of state, generally of embroidered silk, or other fine and rich texture. It was very ample; in the midst of it was an aperture for the head; when put on, it rested on the shoulders of the wearer, and, except when gathered into folds in any part, hung down on every side, flowing even to the ground. Being gathered occasionally at either side, to give liberty for using the hands, when the plaits were drawn up to the shoulders, and fastened on them by loops or cords, this vesture had to the front and back the appearance of deep and rich festoons, whilst at the sides it was open. Such was the origin of the ordinary chasuble, or priest's vestment for the celebration of Mass, and for some other very solemn occasions. In going to the altar his attendant raised it; but gradually the custom was introduced of making incisions at the sides, until several centuries since it assumed its present appearance of festoons depending from the front and back, the sides remaining perfectly open. The decoration is not in every country the same; in some churches there is a representation on the front, by two strips of lace, of a pillar representing the church, which is the pillar and foundation of truth, upon which the clergyman rests for support: and on the back is the cross, to show how the Saviour bore that bed of sorrows to Calvary, when he went to the sacrifice. In other churches the cross is not only on the back, but also on the front; whilst in some churches it is only on the front, and in others on neither part. The origin of this decoration is generally supposed to be the *latus clavus* of the Roman senators, which was a wide purple stripe on the front and back of this vestment; and the representation of its edges being retained, even after the distinction of colour ceased, it would thus exhibit the appearance of columns on the front and the back. In several places the Christian clergy added to these, on either or both sides, those transverse pieces, or that embroidery which changed the columns into crosses. This vestment represents the seamless garment of Christ, for which the soldiers cast lots, and it is emblematic of the charity which should not only prevent schisms, but even unkindly feelings in the ministry. Others will have it for the body of the faithful, the emblem of the purple garment flung upon the shoulders of Jesus after his scourging, and when he was exhibited in the mockery of regal dignity; whilst its decorations

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imply in him who bears it the exhibition of the virtues with which he should be surrounded.

The deacon is the first minister attending upon the priest who celebrates this holy office. His vesture consists of the amict, alb, cincture, maniple, stole, and dalmatic; but his stole, as a token of the inferiority of his order, is not placed on both shoulders. As one who may be commissioned to preach, he is entitled to use this ornament, especially on those occasions when he is to announce the Gospel; but its being only on his left shoulder, and gathered so as to meet under his right arm, to prevent its flowing in a loose or uncomely manner, exhibits his ministerial subordination. At the sacred table he is also but an attendant, not a principal. His first predecessors, amongst other objects were ordained to serve not only at the table of the Eucharistic banquet, but also to superintend the tables, at which the first Christians gave their refection to those members whose wants require a share of the daily alms. From the earliest period such attendants found it convenient to carry slung over the left shoulder, a large napkin, to serve the various purposes of their ministry: thus both as a public speaker, and an attendant at the altar, the deacon preserves his stole; which however has now, like that of his superior, become ornamented, and is useful only for distinction, for mystic instruction, and evidence of ancient usage.

The people of Dalmatia did not use the trabea; their robe of state did not reach so low, it was opened at the sides which terminated in angles, it had wide sleeves moderately long, and frequently two or three large and rich tassels hung from behind the shoulders of the wearer. This dress, generally known, because of the country in which it was chiefly used, as the dalmatic, was for distinction assigned to the first attendant at the altar. The deacon's outer vestment, was decorated in front with two narrow stripes, *angusticlavi*, which were the appropriate ornaments of the robe of state worn by Roman knights, or the equestrian order; these were also continued on the back. Latterly, in most instances, the difference of colour has vanished, and only the embroidery is retained; in many places also the original appearance of the *clavi* even in the embroidery has been lost. The duty of deacon is to proclaim the Gospel, to prepare the offerings, to assist at the sacrifice, and to aid at giving the communion.

The sub-deacon is the next assistant; it is his duty to chaunt the epistle, to aid the deacon in preparing the sacred vessels for the sacrifice, to minister to him the wine and water, and assist in such other way as may be necessary. He is not entitled to wear a stole, and his outer vestment is a tunic; this was generally made of an inferior silk, it was narrower than the dalmatic, the sleeves were also somewhat shorter and straighter, nor had it any *clavus* or embroidery; but within some centuries the two vestments have gradually become so much assimilated that very little, if any difference can at present be perceived between the tunic and the dalmatic.

The other attendants are; a clergyman in a surplice, who is styled master of ceremonies; his duty is to see that everything be performed with decency, to suggest, if necessary to any other officer, what should be done, and to keep generally, in a situation sufficiently convenient to the celebrant, to aid by a suggestion, and to procure what may be wanting.

Two acolyths, or attendants of a lower order, are also in surplices, and carry lights before the celebrant, when he proceeds to the sanctuary, and before the deacon when he goes to announce the Gospel. Another acolyth is thurifer or incense bearer; he has charge of the censer in which is the lighted charcoal, and generally of a box shaped like an ancient boat, in which the incense is kept, together with a spoon to convey it to the censer.

The sacristan who has charge of the vestments, vessels, and other appurtenances of the sanctuary, also attends in a surplice: his place is near a small table called the credence, which is not distant from the altar at the right hand side, or that which in ecclesiastical language would be called at present, the epistle side, or south side. Upon this table the chalice stands, upon the mouth of which is a small linen cloth called a purifier, because it is used in cleansing and drying this vessel; over this is the patten or small plate containing the bread for consecration. This bread is unleavened, because it is believed, that such was that used by the Saviour at the institution, which occurred at the Paschal time when it was unlawful to have leavened bread, or to keep leaven in the dwelling. Yet though the great majority of the Catholic world follow this discipline, which they have preserved from the most ancient times, they do not condemn the few churches in their communion, which also following the very early practice of their ancestors, use leavened bread for the same purpose. A small card covered with cloth, or the cloth itself made very stiff, is placed over the bread,

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and the whole is covered with a rich silken veil. Upon the same table are the cruets which contain the wine and water, the books of the epistles and gospels, an ewer, basin and water for the washing of the fingers, and frequently a crucifix, with a pair of candles, also a burse or silk case, generally embroidered, which contains the corporal or cloth that is placed over the ordinary coverings of the altar, and upon which the chalice and Host rest. The name of this cloth is derived from the word *corpus* which signifies a body, for upon it reposes the body of the Lord, after the consecration.

When a bishop or other prelate entitled to use the pontifical dress officiates, he wears not only the vestments of a priest, but also the tunic and the dalmatic; to show that he possesses the orders and powers of the sub-deacon and deacon, and that theirs are derived from him as their source. Besides, it was usual for those who wore the trabea in the days of the emperors, to wear on state occasions a tunic, and frequently a dalmatic under it. The bishop does not bring the stole across his breast, because he wears a golden cross depending in front, the hollow of which is filled with relics: for he is one of the patrician order of the church, and this ornament is substituted by him for the bulla worn by the nobles of ancient Rome, which was a golden ball in which it is said by some, they kept family memorials depending from their necks. The Christians, especially the clergy, were from the earliest period, attached to the cross and fond of wearing it. If we adopt the explanation here given, we shall see that the glory of this Christian nobility is the perfection of their virtue, the dignity of their divine institution, being placed by the Holy Ghost bishops to govern, according to his sacred ordinance, that church which the Saviour Jesus Christ purchased with his blood, and the lofty nature of their important commission, by which they are ministerially associated to himself by the Son of God in the reconciliation of a fallen world to a merciful Creator. Their family is the household of the faith, and they preserve with pious veneration the relics of the Apostles, the martyrs, the confessors, the virgins, and other sanctified beings whose religious achievements fill the brilliant pages of its history.

Whilst the bishop reads the preparatory psalms, sandals corresponding with the vesture of the day are put upon his feet by the attendants; after which divesting himself of his usual outer mantle or cappa, he is robed in the vesture for the holy sacrifice; previously however to which, he washes his fingers, not only that they may be free from any soil, but chiefly to remind him of the purity required for the occasion. He entreats the Lord to bestow upon him the aid necessary for this purpose; he wears gloves, at the putting on of which he prays that his iniquities may be hidden from the face of the Lord by the merits of the Saviour; so that like another Jacob, having his hands covered with the skins of kids, he may, in the person of this first born, receive in the covenant of grace, by his father's benediction, an everlasting inheritance. His mitre which is clearly from its shape and name, of eastern origin, has depending from its back two fillets by which formerly it was secured on the head, they being for this purpose brought round and tied under the chin. Being open and pointed at the top, it has been usually considered emblematic of the intellectual decoration of the prelate's head, the rich knowledge of the pages of both testaments, in which so many precious examples of varied virtue blend their lustre with the tissue of the sacred history. It is not only a protection to him who is thus decorated, but also renders him a formidable adversary to the enemies of truth. The ring with a precious gem, which he wears on the third finger of his right hand, is the token of the fealty which he owes to the chaste Spouse of Christ, and of the obligation by which he has engaged to protect the purity of her doctrine and the perfection of her morality, with a holy jealousy, and an unceasing vigilance.—Should he officiate within his own district, his cross is exposed and he carries his crosier, which is not merely a staff to exhibit the divine aid upon which he relies for support, but it is also a shepherd's crook to testify that he is the pastor to whose care are confided those sheep which he is to feed with the pastures of heavenly doctrine and sacramental institutions on earth; that so prepared they may be brought above into the fold of the Great Shepherd, whose humble representative he is here below.

A priest, wearing a cope over the surplice, assists also when the bishop officiates solemnly. This cope is peculiar to no order; it is a large mantle, generally of silk, having a deep cape behind; this part is usually trimmed with a heavy fringe; the cope is fastened on the breast with clasps, and is sometimes embroidered on the front of the edges after the manner of the *laticlavus* of the ancient Romans. If the celebration be in a cathedral or in a collegiate church, the canons, or other members of the communities attached thereto, attend in their proper places, and appropriate dresses,

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which vary in different countries. However, they are in most places accustomed to wear furs of some description in winter, which they lay aside in summer.

It will immediately suggest itself to the reader of this brief outline, that nothing can be more unfounded than the strange notions sometimes entertained respecting the vesture of the Catholic clergy, by those who knowing absolutely nothing of its origin or object, censure it, as having been irrationally and capriciously introduced by folly or despotism for the purposes of superstition or of fraud. When such writers as Mr. Addison so egregiously exhibit their total want of information upon topics of which they venture to treat with even magisterial authority, we cannot but regret the absurdities into which they have been led. It has been the misfortune of many such men, that they were too proud to learn, and too poorly informed to understand our ceremonial; they were too self-sufficient to suspect their want of knowledge, and too well convinced that the great bulk of their readers had no opportunity of detecting their errors. The spirit of their country in their age was that of arrogance and contempt in regard to every observance of the ancient church of Christendom: no matter what was its origin, what its venerable antiquity, what its classic illustration, what its religious instruction, what the lessons of piety that the practice or the vesture inculcated, or the devotional feeling it was calculated to excite, it was to be decried and depreciated. Every one knows, that ridicule costs less trouble than does critical or antiquarian research and literary refutation; besides, it is equally powerful against truth as against error, and produces its effects more generally and more rapidly upon the minds of the thoughtless and the uninformed. Thus it was an easier task for the enemies of our church to cast obloquy upon our ceremonial, than to disprove its claim to veneration. And to day we can, by simply observing the conduct of those who may touch upon the subject, easily distinguish the instructed and the religious, from the untaught, the rude, and the profane.

It will also be perceived, that however wide the distinction that at present exists between the sacred vesture and the ordinary popular dress, the difference was not originally worth observing. That used in the churches, by the ministers of religion, was indeed of a finer texture, of a more splendid tissue, and decorated with becoming ornament. The incursions of barbarian hordes, the varying fashions of capricious taste, together with a variety of other circumstances, wrought hundreds of changes, through hundreds of years, in the garments of worldly guise; while amidst this fluctuation of modes, the church, desirous as far as may be, in all things to assimilate the sameness of her customs to the unchangeableness of her doctrine, retained around her altars her clergy in their scarcely changed costume. Thus in her ancient temples which have existed for a thousand years, the eye of the observer will detect the most striking resemblance between the representations of her ancient hierarchy, in the mosaics and frescoes which decorate their domes and walls, and the garb of their successors who occupy those seats once filled by them. In those choirs which resounded to their voices so many centuries ago, the same praises are now heard, in the same language, to the eternal God, consonant to the unaltered faith which has been thus transmitted changeless itself through so many changing generations. At this intermediate point our great forefathers in religion might have stood, viewing the companions of the Apostles as we regard themselves; and contemplating the liturgies received from them, be consoled as we are, by the evidence with which they are replete. With them and with the great Apostle of nations, we could indulge ourselves in the rich consolations afforded by the reflection, that Jesus Christ, is yesterday, to-day, and always the same. The doctrines of God are not like the opinions of man that they should change; his institutions are not like the devices of men that they should need amendment; the preservation of the ancient ways, is the avoiding of those novelties against which the great Teacher gave such emphatic caution. The founders of our church raised its superstructure upon the basis of the Gospel, and though an angel from heaven were to offer us any other, we should reject the proposal.

Previously to entering upon a view of the ceremonial of the mass, a few remarks on the structure of the church will be useful, as without an exact idea of its several parts, it would be somewhat difficult to understand the terms occasionally used in the explanation.

The present structure differs from the ancient.—The Church of St. Clement will give, perhaps, the best notion that can be obtained from any edifice now existing, of the figure of the ancient basilics or cathedrals.

The church was formerly, (and is now, where it can be done without great inconvenience) constructed so as to have its grand sanctuary at the eastern extremity:

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thus the worshippers prayed with their faces to that quarter where after the darkness of night the sun arose in splendour; by which they exhibited the belief and hope which they cherished of a glorious resurrection from the shades of death; thus too, the Christians of the West turned towards the land of Judea, marked by the footsteps and miracles of the Saviour; towards Bethlehem, where angels chaunted the praises of the new born Emanuel, to shepherds rapt in adoration; towards that Jordan, on whose banks the last and the greatest of the prophetic train, pointed out to astonished multitudes, that Lamb who came to take away the sins of the world, whilst the Almighty Father proclaimed his eternal generation, as the mystic dove overshadowed that head yet reeking from the consecrated stream; towards Thabor, where the Son of man beaming forth those rays which he emitted before the day-star was created, shed upon the meek son of Aram and the hoary Thesbite, angelic effulgence, whilst the favoured Apostles entreated permission to remain upon the sacred spot; towards Jerusalem itself, that city of so many affecting recollections, that scene of nature's convulsion at the Saviour's death, that place of his triumphant resurrection, where the veil of the temple was rent, and where the vast foundations of the mighty edifice of our institutions were laid; towards Olivet, whose clouds seem to the lingering pilgrim transparent veils before the gates of heaven; towards that region where tongues of celestial fire gave to the apostolic band that glowing eloquence which enlightened a world, and enkindled in so many hearts the flame of ardent charity. Thus in what would seem to the thoughtless a trifle; in that which the philosophist would affect to despise; or which might be even the subject of his jest for a buffoon: the wise fathers of the church, equally intimate with the great truths of religion, as with the avenues to the human heart, sought to establish lasting means for deeply imprinting upon the mind the knowledge of important facts, and of exciting the affections to a correct and enlightened, a warm and a pure devotion.

The eastern end of the middle aisle was semicircular, and the floor of its sanctuary was considerably elevated. In the centre, at the extremity, was the bishop's chair somewhat raised above the benches, which on either side continued around the curve; upon these at his right and left sat the priests. Immediately before him, but at some distance from the prelate, upon a platform raised two or three steps over the level of the sanctuary, and under a canopy supported by four pillars, was the altar; its front was towards the episcopal and presbyterial seats, its back towards the nave of the church. At the side of this altar, within the sanctuary, stood the deacons. The elevated platform, which extended from the eastern extremity to the range of the altar's back was separated from the other part of the church by *cancellæ* or rails, and was hence called the chancel, but more usually the sanctuary. From this, on either side of the altar, was a descent by three or four steps to the passage which intervened between it and the choir. This latter was an oblong parallelogram behind the altar, extending to a considerable distance into the nave, and elevated two or three steps above its level; it was by some called the ambo, though more correctly this was the name of its pulpit; it was inclosed by a low division, around which on the inside were benches for the sub-deacons and minor clergy; within it, generally at the side, were two or more pulpits, from which the epistles and gospels were chaunted, the lessons were read, and instructions were given. The entrance from the church to this choir was in the centre, at its western extremity; it was kept by a sub-deacon who admitted none but clergymen: at its eastern extremity was a corresponding door, which opened on the passage to the sanctuary. On the south or right hand side, the men who were admitted to communion occupied the space between the choir and the wall, those most venerable for age or station being in front; the females were on the northern side similarly arranged. The sacristy was on the side occupied by the men. The porters, who are the lowest order amongst the clergy, preserved regularity on this side; whilst the deaconesses performed the same duty amongst the women. This separation of the sexes continued throughout the entire church. The faithful who were not admitted to communion, the more advanced catechumens, and strangers occupied the western extremity of the building, and the two latter were always required to withdraw at the end of the sermon, before the Mass of the faithful commenced. In the porch outside the church, the penitents who were excluded for their misconduct, begged the prayers of those who were permitted to attend to the celebration of the mysteries.

During several centuries, the churches have, in general, gradually assumed a different aspect, and the strictness of their internal discipline has been considerably relaxed. The principal altar has been re-

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moved, in most instances, to where the prelate's chair was anciently placed; and this seat is on the northern side of the sanctuary; the vestry room or sacristy communicates immediately with the sanctuary on its southern side; the sanctuary itself has been enlarged. and the outer choir has disappeared; the front of the altar faces the congregation; of course the celebrant stands with his back towards the people; and not only is the separation between the faithful and strangers discontinued, but also that between the sexes. Yet, however, in many churches some vestiges of the ancient customs are found; a few of the high altars are built upon the old plan; the choir is in some places retained; and in others a different side of the church is occupied by men from that in which the women assemble.

In treating of the Mass we shall suppose ourselves in a church arranged according to the modern discipline; and the celebrant to be a priest attended by a deacon, a subdeacon, two acolyths carrying large candlestands, an incense bearer, a clergyman who is master of ceremonies, and another, a sacristan; we shall also suppose the Mass to be solemnly celebrated, or what is usually called a High Mass, to distinguish it from the same office celebrated by a priest, attended merely by a clerk, and with less solemnity, generally without any music either vocal or instrumental.

Previously to the Mass, it is usual, in many places, to bless water, and to sprinkle it round the altar and upon the congregation; in other places it is blessed in the sacristry or vestry room, and placed near the entrance of the churches for the faithful to sprinkle upon themselves. The object of this ceremony is twofold; first, to obtain, through the merits of Christ and the public ministry of the church, the protection of God upon the place and the people; next, to excite in the faithful becoming dispositions by emblematic instruction, that they may be rendered thereby more acceptable through the merits of their devoted and merciful Victim.

Some authors inform us that it was a custom in the East, previously to entering into the churches, to purify the hands and feet, and frequently the head, at large fountains which were constructed for this purpose in the front of the buildings; and that, as the body was thus freed from its impurities, they were admonished to reflect upon the necessity of having the soul also cleansed by the grace of God from all that could defile it, if they would enter in a becoming manner into his holy temple. In the whole of its extent, this statement is probably quite correct: it is not, however, a sufficient explanation. The prayers and the ancient testimonies lead us much further,—and the custom of using holy water is found in the earliest days of Christianity, not only in the East, but also in the West, where they made no such ablutions. St. Paul teaches us, in chapter viii. of his Epistle to the Romans, that not only the children of Adam fell, but every creature doomed for their service was made subject, against its will, to vanity; because that devil whom St. Peter describes (I. v.) as a roaring lion seeking for our destruction, as also his associates, strives to pervert all created things, and make them for us occasions of sin or of injury. We also learn from the doctor of the Gentiles (Ephes. i.), that not only has the Saviour procured for us, by his blood, the remission of our sins,—but that he has moreover willed, through his merits, to renew in himself and to rescue and restore what had thus been, in the lower heavens and on earth, subjected to those wicked spirits; and further, he shows us (1 Tim. iv.) that those creatures over which they had obtained dominion, are sanctified by the word of God and by prayer. Hence, in order to exhibit the source of this renovation and sanctification to be the blessing of God, through the merits of our blessed Redeemer, nothing was more common amongst the first Christians, as our earliest writers inform us, than, when using anything, to pray for its sanctification through Christ, making at the same time, for this purpose, the sign of the cross.

The church, desirous of turning to spiritual account some of these same creatures, has, from the very time of the Apostles, directed her public ministers to pray for their special sanctification,—and to use them, when thus blessed, as occasions to excite devotion and to procure the divine aid. Amongst these, one of the principal was water. Tertullian, St. Cyprian, St. Ambrose, St. Basil, St. Cyril of Jerusalem, and many other eminent authors of the best and purest ages of the church, give us abundant evidence on these points. Nor was this a novelty introduced under the Christian dispensation; God himself had, in former times, established the principle. (Num. xix., and Lev. xiv. etc.)

Water cleanses from filth, and salt preserves from corruption: desirous of using those creatures for the sanctification of her people, of their temples, and of their dwellings, the church first sanctified the objects themselves by prayer and the word of God. Exorcism is an authoritative adjuration.

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Having placed the water and salt before the ordained minister of the sanctuary, she prescribed to him the form of exorcism by which, in the name of Christ, and by the power of God, he was with authority to command the wicked spirits no more to have influence or power over those creatures; nor, when we read the nineteenth chapter of the Acts of the Apostles, and many other passages of the New Testament, can we doubt the efficacy of this exorcism. A prayer was added, beseeching the special influence of God for the sanctification of what had thus been exorcised. The salt was then thrice mingled with the water, each time in the form of a cross, under the invocation successively of the persons of the Holy Trinity; to raise the mind to confidence, that all which was sought for would be obtained from this triune God, through the merits of the Victim of Calvary. As Eliseus healed the waters of Jericho by casting salt into them, so that he was able to promise, in the name of the Lord, that they should no more cause sterility or death, but would bring life and fruit,—the clergyman prays, that, released from the influence of every evil spirit, and blessed by the powerful hand of God, this water may now sanctify the persons and places to which it shall be applied; bestowing upon them the life of grace, and causing them to bring forth the fruits of virtue—so that, being cleansed from iniquity, and preserved from all corruption of sin, they may be saved through Christ.

He then sprinkles the holy water round the altar and upon the people, using the antiphon. "Thou shalt sprinkle me, O Lord, with hyssop, and I shall be cleansed: thou shalt wash me, and I shall be made whiter than snow." The first verse of the fiftieth Psalm, "Have mercy on me, O Lord," &c., is then sung: the entire psalm is repeated by those present, in a low voice, or its sentiments of true repentance, without which no sin can be remitted, are mentally dwelt upon: after which the antiphon is repeated. Reasonable confidence is entertained, that persons attending with such dispositions, profit greatly by using this holy water, because they are in a state which fits them to partake of the blessings, to obtain which the prayers have been offered.

During the Easter time, the antiphon refers to the effects of baptismal water, which had been blessed on the Saturday before Easter day, and the congregation is excited to recollect the blessing conferred in the sacrament of baptism, to rejoice at having been made partakers thereof, and to be careful to preserve its fruits.

Under the old law, the blood of the victim was, by the direction of the Almighty, sometimes sprinkled upon the altar and the people, as it was at the making of the covenant, upon the book of the law and upon the congregation of Israel, to signify their union and holy alliance; so now in the Christian church does the sprinkling of the altar and of the flock, exhibit the new alliance between the Saviour and those who look for redemption by his blood.

When persons sprinkle themselves at going into the church, they should entertain the sentiments which befit this ceremony, and recollect that they ought to be cleansed from iniquity, and freed from the distractions of the world. It is one of the greatest misfortunes, when the faithful are found in the temple of the living God, at the solemn ordinances of religion, without a due conviction that where they stand is holy ground, that it is the palace of the king, that it is a terrible place, the gate of heaven made awful and sacred by the special presence of the Lord of hosts. Alas! they know it not. They thoughtlessly run through the ceremonial, without cherishing the spirit of the Church of Jesus Christ. They yield a full assent, it is true, to the lessons which are taught; but they are unmoved amidst so many occasions of solemn admonition, by which they are surrounded. Not only are they devoid of all fruit, but they are frequently rocks of scandal, equally destructive to others as they are barren in themselves.

Incense is used, not as a sacrifice, nor generally by way of adoration of God, in the ceremonies of the new law. It is offered as a token of respect, and is emblematically instructive, and calculated to excite devotion. Our writers are not agreed as to the time of its introduction for those purposes: some contend that it was not brought into our assemblies during the first three centuries; whilst others, and with perhaps, better reasons, assure us that it was always more or less generally used in the Christian church. In the old law, it was prescribed by God himself, and for the purpose of his worship; so it was amongst the gifts offered by the wise men to the Saviour at Bethlehem; and we have exceedingly respectable testimony of its having been burned in the churches, and at the altars of the Christians at a very early period. The ancient writers mention this practice, not as one of recent institution, or unusual, but seem to treat of it as a custom well known and long established. Nor is there the least semblance of evidence for the assertion, that its introduction was rendered necessary by the damp and unwholesome vapours of

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the close or subterraneous places where the Christians offered their sacrifice, during the prevalence of persecution. The facts of which we have evidence, are altogether at variance with this notion.

The offerings, the altar, the relics, the prelates, the priests, the other clergy, and the faithful, are objects of veneration and respect, and these feelings are expressed by the use of incense. It is also emblematically instructive; for it teaches us how our prayers should ascend before the throne of grace, with acceptable fragrance to the most high and most merciful Lord; but for this purpose they must proceed from hearts rich and pure, in which the fire of divine love is enkindled, a fire which wholly consumes every earthly attachment that could separate us from the God of our affections. It teaches us also, how we should unite our aspirations with those of the saints mentioned by St. John in the Apocalypse (viii.), prayers which an angel offered as a rich odour from his censer, before the throne of the Eternal.

We now come to the Mass itself, which is composed of two distinct parts, viz: That of the Catechumens and that of the faithful. In order to have an accurate idea of this distinction, it is fit to know exactly who were catechumens. In the first ages of the church, those who desirous of knowing the Christian doctrine, or of being admitted into the Christian society, attended to hear instruction, were called Catechumens or hearers; they had to undergo a long and not unfrequently a severe trial, previous to being entrusted with the secrets, or having the confidence of the faithful. They had to rise from class to class through four stations, in each of which they must have been approved, before they were admitted to baptism. When they received this sacrament, they for the first time were instructed in the nature of the Eucharist, and the meaning and efficacy of the Mass. Up to this period it was unlawful for them to be present at the Holy Sacrifice; nor was any one of the faithful permitted to converse with them upon the subject. They were not even taught the creed nor the Lord's prayer, until the very eve of their baptism. In the first and a part of the second century, there were very few churches in which they were permitted to be present at any portion of the liturgy: but gradually they were allowed to assist at the first prayers, and at the instruction; but as soon as preparation was made for the offering, they were obliged to retire; then the deacons were placed in charge of the doors; the faithful were warned to recognise each other, and to be careful that no stranger attended. Sub-deacons soon became the sentinels at one of the doors, and gradually the persons entrusted with this post, were of lower orders till the porter had the office; and when, about the beginning of the eighth century, there were few, if any, unbaptized adults on that part of the continent of Europe where churches were built, this discipline fell into disuse, and there was no longer a distinct place for those who were merely hearers, because there were no Catechumens; all had been baptized, and were therefore entitled to enter, and to remain for the Sacrifice, unless they were excommunicated.

The Mass of the Catechumens then comprises the preparation at the foot of the altar, the introit and the succeeding parts, as far as the offertory. The Mass of the faithful commences by the offertory and continues to the end.

As the present explanation is not a critical disquisition, but a mere exposition to render our ceremonial intelligible to strangers, it is thought proper to omit the precise historical account of the introduction of the several portions of the Mass, the names of the pontiffs who regulated them, and the peculiar process by which they have acquired their present form. Yet a few general notions must be given upon some of these and similar points.

The Mass of the Catechumens, properly speaking, is only a preparation for the sacrifice. Formerly, that portion of it which was said at the foot of the platform, before ascending to the altar, was left in a great measure to the discretion of the celebrant; for after having vested himself in the sacristy, upon a signal given to the choir that he was ready, they commenced singing the introit or psalm at his entrance. During the chaunting of this, he came into the church, and there prayed, together with his attendants, at first in whatsoever manner his devotion suggested, but subsequently, the several churches adopted such forms as to each seemed best; some using one psalm and some another; but all having a like object, and each adopting also some form of confession. In these several forms there is found a very striking similarity, but the greater number of the Western churches have long since conformed in this respect to the usage of Rome; yet some of very ancient standing, have, with due permission, retained their old forms, and some of the religious orders, that were founded in those churches, have also preserved their peculiar customs.

Bowing down at the foot of the platform, with his attendants ranged on either side,

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the priest is filled with an ardent desire of ascending to the altar of his God, there to perform his solemn duty, but deterred by a sense of his own unworthiness, by reason of his manifold offences, he dreads to approach; he confesses his criminality to God, to the heavenly host, and to his surrounding brethren, and beseeches that the angels, the saints, and his brethren, would intercede for him with their merciful Creator, relying upon whose grace, he will venture to perform the work of the ministry.

He therefore commences in the name of the Holy and Undivided Trinity, making the sign of the cross, by putting his right hand to his forehead, then to his breast, then to his left and right shoulders, to show, according to ancient usage, that all his expectations are founded upon the merits of Him who died for us upon the cross. He then with his attendants, recites an antiphon taken from the Psalm (xiii.) *Judica me Deus*, together with a portion of the psalm itself. Antiphon means opposed voices. At a very early period, the custom was introduced into the assemblies of the faithful, of dividing the attendants into two parts, and by alternate or opposed voices, chaunting or reciting psalms and hymns; a particular verse or passage which had special reference to the solemnity of the day, was selected to be sung before and after the psalm, so as to keep the mind more fully occupied therewith; and by degrees this selection obtained, by way of pre-eminence, the name of antiphon. This psalm now used at the foot of the platform, was written by David when he was absent from his country, to avoid the wrath of Saul; it breathes the fervent longings of the exile for an opportunity of worshipping at the altar of his God, in the midst of the solemnities of his people. It is therefore peculiarly appropriate for expressing the sentiments of the priest who goes to offer the eucharistic sacrifice. The antiphon is: "I will go up to the altar of God; to God who bestows joy upon my youth." This only is now recited, though formerly several were sometimes read by the celebrant; like all others, it is concluded with the doxology of "Glory be to the Father," &c., which there is reason to believe was received from the Apostles. After the doxology, the antiphon is repeated, and the priest, bowing down still lower, confesses himself to be a sinner, striking his breast as did so many of the penitents mentioned in the Scriptures; he then intreats the intercession of the church triumphant and militant in his behalf; his attendants beseech God to have mercy upon him; he then stands erect whilst they, bowing down in the attitude of humility and supplication, confess in turn their criminality, and request the like intercession, as also his prayers on their behalf. He having besought in like manner for them, as they did for him, the mercy of God, they now stand erect and sign themselves again with the cross, to show the source of their hope of mercy, whilst he prays for perfect pardon and remission of their sins. He next expresses, in scriptural extracts, the joy and consolation which is expected from that mercy which the Lord has promised; and now ascends to the altar praying that God would take away their iniquities so that they may go up with pure minds to the holy place. When he has concluded the confession, if he be a bishop, the maniple is put upon his left hand. The custom is preserved as a testimony of ancient usage; for until he was to ascend to the altar, the trabea or chasuble previously to its assuming the present form, covered him on every side, coming over his arms and hands: but after the confession, it was raised at the sides, to afford him greater liberty, and then the mappula or maniple was attached to his left arm. When he is going up, the deacon and sub-deacon also hold the edges of his vestment at the sides, this being the relic of the ancient custom of keeping it raised previously to its being cut into the shape it now bears.

The psalm *Judica* is one calculated to banish sorrow and grief, and to excite joy; it is, therefore, omitted in Masses for the dead, when mourning is united to supplication, and in the Masses of the time which intervenes between the eve of Passion Sunday, a fortnight before Easter, and the Saturday before Easter day, because of the affliction which should overwhelm the faithful children of the church at this period, when she leads them to contemplate the sufferings of her beloved Spouse. But it is recited in the Masses of any festivals that might be celebrated even within that time. Having arrived at the altar, the celebrant kisses it through respect; if he be a bishop, he kisses the book of gospels: on other occasions throughout the Mass, he kisses the altar in the same manner as is customary for a priest. The prayer for either is the same; the deacon and the sub-deacon bend their knees as they attend him on either side during this salutation.

His prayer is to intreat God that in regard to the merits of those saints whose relics are their contained, as also of his other saints, he would vouchsafe to extend his mercy to lessen the temporal punishment that might yet remain due to the sins of him who ventures to approach. These prayers

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are said in an under tone of voice; because, in the first place, they regard principally the individual himself, and also because they are repeated whilst the choir sings the introit, and of course it would be useless for him to raise his voice. Peviously to his ascent he had also, as it were, taken leave of the people by the salutation from the sacred Scriptures of *Dominus vobiscum*, or "The Lord be with you," to which the answer was given, upon the principle of St. Paul (2 Tim. vi. 22,) and as received from the days of the Apostles. *Et cum spiritu tuo.* "And with thy spirit."

Perhaps it will not be considered here amiss to explain very briefly the doctrine of the church respecting the extensive knowledge, the intercession and the merits of the saints; as it is more than probable that several who may read this little compilation have exceedingly inaccurate notions upon the subject; and although they may not be induced to change their opinions respecting the correctness of our belief and practice, still it is desirable that they should distinctly know what they too often censure without examination.

The doctrine is expressed in this simple phraseology, "I believe that the saints, reigning together with Christ, may be hohoured and invoked, and that they offer prayers to God for us; and that their relics are to be respected."

As the church does not announce to us any distinct proposition expressing the manner in which these disembodied spirits become acquainted with the wants or wishes of their fellow-worshippers on earth, we may form our own conjectures as we please upon that subject; she only testifies, at the very utmost, first, that they may be invoked; and, secondly, that they offer prayers to God for us; from which premises it is reasonable to conclude that they become acquainted with our invocation. It is objected that for this purpose they should possess the attribute of ubiquity, or that of omniscience, or both; and that this would at once make them equal to God. The answer is exceedingly simple. First: that to be present upon this earth and in heaven is not to be *everywhere* present; supposing, therefore, this former restricted presence required, however absolutely extensive it might be, it would be an extravagant enlargement of phraseology to style it *ubiquity*. Again, it would be equally ridiculous, to call a knowledge of what is sought for by a limited number of those who dwell upon this circumscribed spot in the midst of the vast universe, *omniscience*. Hence, upon the supposition that the saints have a natural power of knowing who invoke them, and also what is sought for by each, it would be grossly absurd to assert that they are therefore gifted with ubiquity or with omniscience. But if we believe that it is in the power of God to make known to them who are their suppliants, and also the nature of the requests made; we surely do not by that belief of this divine manifestation derogate from the Almighty, nor too greatly raise the prerogatives of a creature, whom he has bountifully saved, through the merits of Christ, and whom he has mercifully admitted to enjoy that beatific vision which St. Paul describes: (1 Cor. xiii. 12,) "But then I shall know even as I am known." Another objection is indeed a wretched semblance of natural philosophy: by which it is asserted that the saints are too far removed to hear us. The principle which is here assumed is a palpable mistake, viz., that the laws by which disembodied spirits become acquainted with the wishes of others, are the same as those to which they were subject while they were united to their bodies; whereas, having left those bodies in the grave, they no longer see through the eye, nor hear through the ear: but are equal to the angels. (Luke xx. 26.) To argue, therefore, an impossibility of hearing by reason of distance, is indeed a despicable sophism. A great many passages of the sacred volume exhibit to us the knowledge which angels have of the children of Adam, and show how it reaches even to the heart itself; the Saviour informs us (Luke xv. 7, 10) of the joy that is in heaven and before the angels, upon a sinner's conversion. If the saints be equal to the angels, they have, of course, this knowledge.

The doctrine, as has been remarked, does not require for its support that we should be able to explain the mode by which our supplications become known, nor even to prove, in fact, that they do become known to the saint. It would be sufficient that this, our fellow-servant, now secured in glory through the redemption of Christ our only Saviour, should offer prayers to God, generally, on behalf of all those who implored his intercession. The questions of a proper and becoming honour to this friend of God, and to his relics, being left out of view, our doctrine is then reduced to two propositions. First, that we may lawfully call upon the saints reigning together with Christ to pray to God on our behalf; that is, to intercede for us. Secondly, that they do offer prayers to God for us. Respecting the first, it is often thoughtlessly asserted that by invoking them we place them upon a level with God, and are, therefore guilty of idolatry. Catholics will, indeed, be justly liable to that

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charge when they shall have placed the saints upon a level with God; but, in order to do so, they must address both in the same language, having the same meaning. They ask the saints to pray for them to God; but they have never, even by their most dishonest opponent, been charged with asking God to pray for them to a saint. They ask of God as the giver of every good gift, for mercy, because it is His prerogative to condemn or to acquit by His own right, without deriving His commission from another; and to grant mercy or to withhold it, because not only there is no one more high, but it would be blasphemy to assert that he had an equal. They call upon the saints, as creatures far, immeasurably far below Him who created, who redeemed, and who made them holy, to pay to him the homage of their prayer, by uniting their petitions to ours whilst they intercede on our behalf.

It is said that by making the saints mediators between God and us, we destroy the distinction between Jesus Christ and those creatures; that we make them equal to Him whom the sacred Scriptures exhibit clearly to be our only mediator, our only intercessor. Upon so serious and important a subject, a mere play upon words would be unpardonable sophistry; we avow the full force of the scriptural expressions, when we profess that Jesus Christ, the only son of God, is our only Saviour, our only Redeemer, the only Mediator who, by His death, paid the ransom for our offences, the only Intercessor who pleads for us by claiming, as His own right, that mercy which He purchased by His bloody sacrifice, and promised to extend to the true penitent. If, then, we mention other intercessors, we do not intend the word to have the same meaning when used in their regard, as it has when applied to Him; in like manner as when we speak of God our benefactor, we clearly do not intend to bring Him down to a level with our earthly benefactors, or to raise them to an equality with Him. St. Paul besought the prayers and intercession of those servants of God with whom he conversed, as also those to whom he wrote; nor did he thereby undervalue the efficacy of the Saviour's intercession, but he felt the truth which St. James recorded (v. 16, &c.) "that the continual prayer of a just man availeth much." This intercession of the just by prayer through the merits of the Redeemer is one of the effects of their charity, for even when faith and hope are lost, after death, in the fruition of happiness, charity not only remains, but is made perfect, so that the prayers of those saints who are decorated therewith, are indeed sweet odours and incense acceptable in heaven. (Apoc. v. 8; viii. 3, 4,) &c. &c. Jesus Christ is the only mediator who reconciled His Father to the guilty world; He is the only intercessor who, in his own name, pleads on our behalf. Others ask in His name, and only through the efficacy of His atonement.

Still a greater apparent difficulty is to be encountered in some other expressions; such as making the request through the merits of the saints. Had words but one precise meaning without any latitude, this would, indeed, be an expression highly censurable and grossly offensive to pure religion. The fact is, however, quite otherwise; the poverty of language is such, that most words have great extension, and the above phrase has quite a different meaning when used respecting Jesus Christ, from what it has when used in regard to any saint, even His blessed Virgin Mother. Merit signifies desert, or claim to recompense. Probably the doctrine of the church will be more easily explained by similitude. We shall suppose some mighty work to be performed, and that only one individual exists who has the means and the power necessary for its execution. As its achievement would be exceedingly beneficial, a great recompense is offered by a benevolent being in return for the performance. He who alone is capable effects it, and he alone can therefore claim the recompense, yet though the merit is solely and exclusively his, he can, if he thinks proper, admit others to its participation, either gratuitously or by assigning them certain tasks, for the performance of which he conveys to them a right to claim and to receive in his name and on his account, a portion of the great reward to which he alone is entitled. They have thus a claim derived from him; they have no proper original independent merit of their own, but they clearly have a dependent, or derivative merit, and through his kindness their claim has become indefeasible. Thus the Saviour, having by His great atonement taken away the handwriting of sin and death that stood against us, and established claims for our eternal salvation. made us partakers of His merits by His own benevolence and mercy, and places in our power greater benefits, upon the condition of our doing what He requires. Were all to be merely saved from hell and placed upon an equality of glory and happiness, there would be no ground for our doctrine of derived merit beyond that of being saved; but the Saviour himself informs us that in His father's house there are many mansions; (John xiv. 2,) and St. Paul tells us that in

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the resurrection there will be a variety of degrees of glory. (1 Cor. xv. 41,) &c. Not only is this founded upon the common principle of distributive justice, but the Saviour Himself exhibits to us the basis upon which it rests, (Matt. x. 41, 42,) where he describes a diversity of rewards of works, and shows that not even the least merit will be overlooked, not even that of giving a cup of cold water to a little one in the name of a disciple; and therefore He declares (Matt. xvi. 27) that at the day of judgment He will render to every man according to his works.

The church then does not teach that any saint has original, underived merit. This is to be found only in the Saviour who justified them: calling them by His grace to faith and to repentance, aiding them, when they answered this invitation, to bring forth worthy fruits of penance, applying to them the merits of His atonement by means of His sacramental and other institutions, and then when through his grace they were justified, He enabled them to do works pleasing to His Father, and deserving a recompense through the claims of their Redeemer, and by the merciful regulation of their bountiful God, who crowns in His saints, those works which He gave them power to perform, and to the performance of which He was pleased to attach a recompense. These are then, in our view, the merits of the saints; far different indeed from those of Jesus Christ not only in their origin, but in their mode of performance and in their value. Yet however poor they may be in comparison with those of the Son of God: in our regard they are great and valuable. These servants of God are now his favourite children, he regards them with complacency, he willingly hears them and has respect to the virtues which through Jesus Christ they practised, as he had respect formerly to the entreaties of Moses, (Exod. xxxii. 10, 13, 14,) where the intercessor for Israel himself referred to the merits of the deceased patriarchs. When therefore the prayer of our liturgy mentions the merits of the saints, the phrase is to be understood in the sense here explained, as distinguishing them from the merits of Christ.

Another doctrine has also been alluded to in the foregoing exposition, upon which it may be well to make an observation. The expression was "to lessen the temporal punishment that might remain due to the sins," &c. The doctrine of the Catholic Church is, that no sin ever was or can be forgiven, except by the power of God, through the merits of Christ, and upon the condition of repentance in a person having the use of reason. Besides this, she teaches that the Almighty might require any conditions He thought proper, to be fulfilled on the part of the penitent, for repentance creates no claim of strict justice upon the benevolence of the Creator. We must therefore seek in the positive institutions of the Saviour, and not in our own speculative conjectures for the conditions which have been established. The Saviour did not change the great principle of God's providence which existed from the beginning, when in regard to the penitent he abrogated the sacrifices for sin that were required under the Mosaic dispensation, and instituted the sacramental observances of the new law in their stead.

At all times the Lord reserved to himself the right of either bestowing a full remission of the punishment due to the delinquent when he blotted out his guilt upon his doing penance; or of substituting a temporal affliction for that which was in its nature eternal, and which St. Paul declares to be the wages of sin (Rom. v.); and we find a vast number of instances in the sacred volume which exhibit him actually remitting the eternal punishment, whilst through the merits of the Saviour he removed the guilt, yet inflicting at the same time a temporal penalty. One explanatory instance will suffice, though very many might be adduced. In the second book of Kings, or as it is sometimes called of Samuel, we have an affecting example in the twelfth chapter. David had for some time remained negligent in his criminality; had he died in this state he must necessarily have been condemned for ever: but the Lord who regarded him in mercy, sent Nathan to address him in that beautiful parable which so roused the indignation of the monarch against that man whose cruelty and injustice were described, that he declared "As the Lord liveth, the man that hath done this is a child of death." The prophet then announced to him "Thou art the man." "Thou hast killed Urias the Hittite with the sword of the children of Ammon," and "thou hast taken his wife to be thy wife!" Struck with remorse, and aided by divine grace, the king of Israel repented; and confessing, he said to Nathan, "I have sinned." The remission of his guilt followed, for the messenger of heaven announced to him, "the Lord also hath taken away thy sin," and of course, with the removal of the stain of guilt, the eternal punishment was remitted, "Thou shalt not die." But a temporal affliction was substituted. "Nevertheless, because thou hast given occasion to the enemies of the Lord to blaspheme, for this thing, the child that is born to thee shall surely die." This is

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by no means a singular instance; the sacred volume, both in the Old and New Testament exhibits it to us as the ordinary proceeding of the Lord. Yet, from the same source, we also learn that he is exceedingly merciful, and that, upon entreaty and supplication, upon the performance of works of voluntary mortification in a penitent spirit, he will often, having regard to the superabundant merits of the Redeemer, greatly diminish or altogether remit this temporal penalty. Thus David, who knew his providential course, "besought the Lord for the child," he kept a fast, and going in by himself lay upon the ground. In strains of sorrow he bewailed his crime. "O Lord rebuke me not in thine indignation, by casting me off for ever from thy mercy, nor chastise me in thy wrath, by the severe though transient punishment which thou dost impose, even when thou hast admitted the sinner to pardon. Have mercy on me, O Lord, for I am weak, heal me, for my bones are troubled, I have laboured in my groanings, every night I will wash my bed, I will water my couch with tears." (Ps. vi.) "For day and night thy hand was heavy upon me, I am turned in my anguish whilst the thorn is fastened in me. I have acknowledged my sin to thee, and my injustice I have not concealed. I said, I will confess against myself my injustice to the Lord; and thou hast forgiven the wickedness of my sin." (Ps. xxxi.) "Wash me yet more from my iniquity and cleanse me from my sin, for I know my iniquity, and my sin is always before me." (Ps. vi.) Yet on this occasion, the Lord did not relax the penalty; and the resigned penitent when he learned the death of the child, bowed in submission to his will; he had also to endure much more as a penance for the same crime, though its guilt and the eternal punishment had been taken away. Several instances might be pointed out in which the Lord, besought by prayer, remitted the entire or a part of this penalty: thus in Exod. xxxii. 14, after Moses had intreated him and also brought to his view the merits of Abraham, of Isaac, and of Israel, "The Lord was appeased from doing the evil which he had spoken against his people." In Numbers xii. 13, 14, upon the prayer of Moses, Mary had the suffering to which she was subjected, reduced to the duration of only seven days. In the same book (ch. xiv.,) when the Lord had sentenced the people to be consumed by a pestilence, (12,) Moses besought him, and (20) the Lord forgave, but yet (23) upon condition that they should never enter the land of promise. And, chap. xv. of Jeremias, to show the hopelessness of the people's doom, the prophet records, "And the Lord said to me: if Moses and Samuel shall stand before me, my soul is not towards this people: cast them out from my sight, and let them go forth." From the examples here referred to, the doctrine of the church respecting the merits of the saints, their intercession and its efficacy may be easily understood; as also her doctrine respecting the remission of the temporal penalty which sometimes remains due to sin after the removal of the guilt, and the remission of eternal punishment. The diminution, or total remission of this temporal penalty, through the authoritative application of the superabundant merits of the Saviour and that of the saints in the manner above exhibited, is called an indulgence, either partial or plenary. The reader may thus at once perceive the gross injustice of the charge so often made against the church, that by granting indulgences, she gives a license to commit sin.

Let us return to the Mass. After the salutation of the altar, the deacon gives incense to the celebrant, kissing, through respect, the spoon and the hand which receives it: after casting the incense upon the fire in the censer, and returning the spoon, the celebrant makes the sign of the cross over the smoking perfume, praying thus, "Mayest thou be blest by him in whose honour thou art burned;" then taking the censer from the deacon, he perfumes the cross and the altar; at the conclusion of which ceremony, the deacon, receiving back the thurible, exhibits his respect for the celebrant by incensing him. Having returned the censer to the acolyth who has it in charge, the deacon, followed by the sub-deacon, goes up to attend the priest whilst he reads the introit, which the choir has sung at his entrance. The book is placed for this purpose at the epistle side of the altar; that is, on the left hand of the crucifix, which in a regularly built church is on the south side, or that of the sacristy.

The introit is generally a psalm appropriate to the solemnity, but sometimes it is taken from some other portion of the Old Testament, for now this side of the altar may be considered as the place in which the prophetic declarations, the aspirations of the patriarchs, and the other testimonies of the great fathers who preceded the incarnation are proclaimed. At reading the antiphon, the celebrant and his attendants make the sign of the cross upon themselves: but in Masses for the dead it is made rather towards the book, as emblematic of their desire to have the merits of Him who was crucified applied to remove

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any temporal punishment, that may still remain against the deceased, if he be so happy as to have the guilt and the eternal punishment of his sins remitted. Instead of the doxology, the usual prayer for the dead, which in this Mass is the antiphon, is repeated, "Eternal rest grant them, O Lord. And let perpetual light shine unto them." When this praise of the Trinity is repeated, the clergy bow their head toward the crucifix upon the middle of the altar.

The name *ad Introitum*, or at the entrance, is appropriately given to this, because it was originally chaunted at the entrance of the people and the clergy, and was continued until they were all in their proper places.

The celebrant in the ancient monastery of Bec, in Normandy, retained for a long time the custom of not taking the maniple until the conclusion of this part of the office; from what has been written, the reader will easily perceive the reason.

The mystic writers give us two accommodations of this portion: first, that it represents the entrance of the Saviour into the world by his incarnation. Again, that it should remind us of his entrance into the garden of Gethsemani, to begin his sufferings. The pious attendant at the Holy Sacrifice may with advantage indulge both reflections.

After the introit, the choir chaunts the Kyrie eleison, thrice, in honour of the Eternal Father; Christe eleison, thrice, to the honour of his Eternal Son; and Kyrie eleison, thrice, in honour of the Holy Ghost. The celebrant and his attendants repeat the phrases of the invocation alternately, at the corner of the altar, in a low voice. This is a Greek supplication for mercy. Lord have mercy on us, Christ have mercy on us. It is of very ancient standing. As the church consisted of various nations, having different languages and rites, of which, next to Latin, Greek and Hebrew were the most extensively used, the Western church, as a token of perfect communion in faith and government, used some of their phrases in her liturgy: of the Hebrew she had, Amen, Alleluia, Hosanna, &c., besides these and others of the Greek; and St. Augustin (Epis. 178) informs us that in his day, about the year 420, the Romans frequently used the Gothic phrase *sihora armen*, which means, Lord have mercy on us.

This custom was not established by any law, but gradually spread itself through the Church. Neither was the time for repeating the Kyrie eleison, nor the number of repetitions, everywhere or always the same. The present form has been during centuries in use, and is well calculated to express the longing desire of those who felt the evil consequences of our first parents' transgression and of their own weakness, for the arrival of him who alone could release them from their thraldom. This is supposed to have been originally introduced for the catechumens, and retained by the faithful through devotion.

On festivals, the angelical hymn of *Gloria in excelsis*, Glory be to God in the highest, &c. is chaunted; the celebrant leading, and the whole choir following, by immediately taking up the sacred strain. But it is omitted on Sundays, in times of penance, on ferial days, except in Easter time, and in Masses for the dead. It was formerly usual, in many churches, for the deacon to repeat several forms of prayer for public necessities on the days of penance, in place of this hymn. The antiquarians and rubricians are by no means agreed as to the author of the additions made to what the angels sung on the night of our Lord's nativity. (Luke ii. 14.) All however are agreed, that though not introduced generally into the Mass, it was used as a form of praise and prayer from the most remote period of the Christian era. Pope Telesphorus, who presided over the church about the year 150, is thought to have been the first who ordered it to be sung at the Mass of Christmas day. The Greeks seem to have been greatly attached to it. Pope Symmachus, about three hundred and fifty years after Telesphorus, is said to have extended its use in the liturgy. But St. Gregory the Great, a century later, directed that it should be said in Mass by the priests only on the great festival of Easter; but by bishops on all Sundays and festivals. However, after the tenth century, it was also said by the priests on those days when it was said by bishops. In the church of Tours, there was an ancient custom of chaunting it on the festival of Christmas, at the first Mass in Greek, and at the second Mass in Latin. It is given also as a reason by some for the celebrant commencing, and the choir then joining, that it is mentioned in the second chapter of St. Luke (v. 9,) that one angel only first appeared to the shepherds, and when he had communicated the joyful tidings, (v. 13,) suddenly there was with him a multitude of the heavenly host, praising God and saying, Glory be to God in the highest, &c.

Formerly, the celebrant read this hymn at the epistle side, after he had there chaunted the first notes. Now he goes to the middle of the altar as a more convenient place; he again, at the conclusion, makes the sign

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of the cross, and generally goes with his attendants to sit during the time that the choir sings what he has read.

If a bishop celebrates pontifically in his own church, he reads the Mass of the Catechumens at his proper seat; or, if in the church of another bishop, at a seat prepared for him at the epistle side, below the platform of the altar. At the conclusion of the hymn also, turning towards the congregation, the bishop salutes them in the words, *Pax vobis*, "Peace be with you." This was the salutation of the Saviour, whose messenger and minister he is, to his Apostles, (John xx. 19, 21, &c.,) and is very appropriately made after that solemn canticle by which, in the very words of angels, peace is proclaimed, through the celestial messenger, to men of good-will. This was peculiarly fit for the bishop, who, as we have seen, was the only one that in the Western church, except on the feast of Easter, recited this hymn in the Mass, until after the tenth century. Thus, whenever he repeats the hymn, he uses this mode of salutation: but, on other days, and at all other times in the Mass, his salutation is similar to that of the priest, *Dominus Vobiscum*, "The Lord be with you." Some western bishops were in the habit of substituting this *Pax Vobis*, for the *Dominus Vobiscum* upon all occasions, until the irregularity was checked by the Council of Braga, in the year 561. St. John Chrysostom, St. Cyril of Jerusalem, and other ancient writers, however, testify that the usual salutation of the Greek clergy was from the beginning, that which they still retain, "Peace be to all."

The priest kisses the altar, that he may receive the salute of affection from Christ, whom it represents; and then turning to the people, he communicates it to them. Their answer to the bishop or priest is the same, *Et cum spiritu tuo*, which has been previously explained.

Should the altar be built in the old fashion, as the celebrant has his face towards the congregation, the altar being between them, he does not turn, but merely expands his hands.

The *Gloria in excelsis*, having been omitted during Advent and Lent, when it is resumed at Christmas and Easter, it is in many places usual to ring the bells during its repetition, on the first and second day, as a token of joy.

After the salutation, the celebrant at the book calls the people to attention by inviting them to pray, in the phrase *Oremus*, "Let us pray," bowing to the crucifix as he gives the invitation; he then, with expanded hands, chaunts the prayers called collects, which are appropriate to the solemnity of the occasion, and are one or more, as the occasion requires.

The origin of the name collect is most ancient, but its derivation is not so clear; some of those given are, first, because it was a prayer for the collected assembly; again, because it was a prayer in which the faithful with collected desires united together; then, because it was a prayer which collected their necessities, and presented them before the throne of God, &c. In offering it, the celebrant, according to the direction of St. Paul, (1 Tim. ii. 8,) lifts up his hands, trusting that they are pure. This mode of holding the hands in public prayer was equally common under the old law, (Ps. xxvii. 2; Ps. cxxxiii. 2, &c.,) as it was in the first days of Christianity, though we find several very ancient evidences to show that the Christians were in many instances accustomed to pray with their hands extended in the form of a cross, as some religious orders yet practise.

Several of those collects have come from the time of the Apostles. There was at one period a license to the celebrant of making the prayer occasionally, according to his judgment and devotion; but this was sometimes so greatly abused that it was considerably restricted at an early period; and the third Council of Carthage, and the Council of Milevi, in 416, abrogated it altogether, forbidding any collects to be used, unless such as had been approved by the bishop or by a council. Pope Gregory the Great completed what Gelasius had begun: some have been added by succeeding pontiffs.

On days of penance, after the celebrant invited the flock to prayer, the deacon proclaimed, Let us kneel, *Flectamus genua;* and after some pause in secret prayer, he added, *Levate*, rise, after which the celebrant recited the collect: at present the subdeacon immediately says *Levate*, merely giving time for bending the knee; and at the end of the prayer the choir answers *Amen*, which is an aspiration of consent in the petition.

In the church of St. John of Lateran, it was for a long time customary to have no collect, but in its stead to repeat the Lord's prayer; whilst in other places it was usual to have five or seven collects, and in some churches, on special occasions, to add what they call Lauds, or prayers for the Pope, the emperor, and others in authority, after the whole number of collects had been gone through. After these prayers, the epistle is chaunted by the subdeacon, whilst the celebrant reads it in a low voice. The chaunt is the old style of solemnly reading documents

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of importance. The variety upon this head, also, was very great. At first the prophecies of the old law, especially those which referred to the solemnities of the day, were in some places read by the ordained reader; next followed a portion of the Mosaic law, or sacred history, after which an extract from the Epistles of St. Paul, or one of the other canonical epistles, and not unfrequently some epistles which were never in the canon, as for instance that of St. Clement. At the conclusion of the last lesson a psalm or hymn was sung. As the Council of Laodicea (can. 59) forbade any lesson to be read, except from the inspired writings, and as those for the Sundays were selected from the Epistles of St. Paul and the other Apostles, this portion was long known by the name of *Apostolus*, and is so called by several ancient writers. As early as the time of St. Ambrose, the order of these lessons were settled in Italy. Gradually, after this period, the subdeacons began to take the place of the mere readers; and for a long time it has become the duty of this officer to chaunt the epistle, after which he goes to the celebrant with the book, and kneels to receive his blessing; he then rises, and gives the book either to the deacon or to the master of ceremonies, and the deacon places the book of the gospels on the altar; for now the same book contains the gospels and epistles.

The affection of the faithful and their veneration for the sacred Scriptures have always been exceedingly great: and the conduct of the church, arising from these sentiments, has been greatly misunderstood by several who do not examine. At the present day the spouse of Christ regards this sacred volume as one of the most precious deposits entrusted to her guardianship. She feels it to be her duty to preserve the context pure, entire, and unaltered—not only to preserve the words, but to testify their meaning—in discharge of the high commission of the Saviour. This is done, not by novel arbitrary interpretations, but by declaring what was always the sense in which the passages of the holy writ were understood by the Christian world. Hence she forbids her children to receive or to use any copies which have not been examined by competent authority; and thus, through the lapse of ages, and the convulsions of human institutions, notwithstanding the efforts of her adversaries, she has kept these venerable pages free from human corruption. She requires also of her children that they shall conform their minds to that meaning, which was received in the beginning with the books themselves, from their inspired compilers, and that they shall never interpret them otherwise than according to the unanimous consent of those fathers who in every age have given to us the uninterrupted testimony of this original signification. She knows of no principle of common sense, or of religion, upon which any individual could, after the lapse of centuries, assume to himself the prerogative of discovering the true meaning of any passage of the Bible to be different from that which is thus testified by the unanimous declaration of the great bulk of Christendom.

For this would in fact be a new revelation. If the vast majority of Christendom has been unanimous, and yet involved in continued error, upon what principle will a divided and discordant minority claim to be correct? If there be no certain and plain mode of knowing the meaning of the passages of the word of God, of what value is their possession? She cannot consent to place the great book of divine revelation upon a par with the riddles or enigmas of heathen oracles.

In her assemblies she proclaims the sacred writings in a dead and unchanging language, in which during ages they have been preserved, but she also allows exact translations in the vernacular tongues; she requires that they be frequently collated with this standard, and that they be explained by her commissioned expositors. Her pastors are not permitted to introduce opinions of their own, but they are bound before many witnesses to declare openly what had been openly placed in their keeping. The Persian, the Chinese, the Italian, the German, the American, and the Spaniard must agree in doctrine with the Numidian and the Moor, because the revelation of a God of truth must everywhere be consistent with itself. She calls the license to introduce new and discordant interpretations a sanction to disseminate error, and the propagation of error she looks upon to be the worst abuse of liberty.

When these lessons were read in her assemblies, their interpretation was also frequently given, but always under the control of the presiding bishop or priest, who was careful to prevent profane novelty of opinion.

The hymns or psalms which followed the epistle are generally called the "gradual," because the singers stood or sat upon the *gradus*, or steps of the pulpit. In times of penance the chaunt was slow and drawn out, and was therefore called *tractus*, or "tract." Others inform us that the original meaning of the word tract was not that here given, but that what was sung by only one person was so called; and that as it was

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considered more solemn and better befitting times of penance to have the chaunt by a single voice, what was selected on those occasions got this name. But when at other times the singer was occasionally interrupted by the choir, the parts he chaunted were called versicles, and the bursts of the chorus or choir were called responsories. In Easter times the responsories were generally "Alleluia," and sometimes frequently repeated. It was usual also amongst the Jews to chaunt this exclamation at their festivals of the Passover.

When the heart is full of joy, for the expression of which it cannot find words, an effort is frequently made to indulge the feelings by a sort of voluntary, melodious repetition of notes. The Greeks call this πνευμα, *pneuma*, or "breathing;" and upon this principle the notes of the Alleluia and some other short expressions are prolonged with harmonious variety, in times of great festivity. The name of sequence or following became peculiar to this.

About the year 880, Notker, a monk of St. Gall, in Switzerland, composed what is called a "prose," which was an expression in loose measure, yet such as might be sung, of the principal circumstances of the festival or solemnity, to be added to the pneuma, or adapted occasionally to its notes. He said that he found one in an antiphonary, brought by a priest from the Benedictine abbey of Jumges, about fifteen leagues from Rome, and which had been burned by the Normans in 841, and was then in ruins, though it was rebuilt in 917. These proses became exceedingly numerous, and in some places even ridiculous, so that the Councils of Cologne in 1536, and of Rheims in 1564, directed their examination and retrenchment: only five are retained in the Roman Missal, one for Easter, one for Whitsuntide, the Lauda Sion, written by St. Thomas of Aquin for Corpus Christi, the Stabat mater dolorosa, and the greatly admired Dies irae in Masses for the dead.

The book was now removed to the Gospel side, that is the side to the north or right hand of the crucifix, which is the left of the congregation, to show the translation of the law and authority from the Aaronitic to the apostolic priesthood; the celebrant, bowing in the middle of the altar, prays to the Lord to cleanse his lips and heart that he may worthily announce the sacred Gospel, after which he proceeds to read it, in a low tone of voice, whilst the choir continue their chaunt. At the conclusion he again puts incense into the thurible; the deacon repeats, on his knees, the *Munda cor meum*, or prayer preparatory to the Gospel, and going to the altar which represents Christ, he takes thence the book of the Gospels, to show whence this divine law had its origin: kneeling to the celebrant he requests his blessing, after having received which, he proceeds to chaunt the portion selected for the occasion. For as St. Paul writes in his Epistle to the Romans, (chap. x. 14, 15,) "How then shall they call on Him, in whom they have not believed? or how shall they believe Him of whom they have not heard? and how shall they hear without a preacher? and how shall they preach unless they be sent? As it is written. *How beautiful are the feet of them that preach the Gospel of peace, of them that bring glad tidings of good things.*"

The deacon having thus received his mission from superior and lawful power, proceeds to make the solemn promulgation of the divine law. He is preceded by the incense, to show the sweet odour of the word of God, which renders the world virtuous and acceptable; lights follow to exhibit how it illumines the understanding, chasing the vapours of passion, and banishing the darkness of ignorance: the sub-deacon assists in holding the book, to which the deacon exhibits his respect by perfuming it with incense. He greets the people with the usual salutation: after being answered he proclaims, *Sequentia sancti evangelii secundum Mattheum*, "The following of the Gospel according to Matthew," or whichever Evangelist it may be, marking the sign of the cross upon his forehead, his mouth and his breast, to show that he will profess the faith of his crucified Redeemer, by open exhibition, by words, and in his heart. He had previously marked the same sign upon the book, where the Gospel begins, to show the source whence that faith is derived. The people answer, whilst they also mark themselves, "Glory be to thee, O Lord." He then chaunts the selection for the day, in the solemn tone in which the ancient heralds of the East proclaimed the laws to the people. At the termination he points it out to the sub-deacon with the remark, "These are the words of Christ," or "the holy words." The sub-deacon immediately proceeds to point them out to the celebrant with the same observation; upon which the celebrant kisses the Gospel itself as a token of his affection, declaring at the same time, *Credo et Confiteor*, "I believe and acknowledge." In many places the Gospel is also given in like manner to such dignitaries as may be present. After the kissing of the book the deacon incenses the celebrant.

On several of the old copies of the sacred volume the cross was impressed, or embossed, or painted on the cover, or on the

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cloth in which the volume was folded; the clergy kissed the open book, and the laity kissed either the cover or the envelope, upon the figure of the cross, or whatsoever other device was substituted therefor. And from this practice came the usual mode of swearing; where the clergyman called upon God, who revealed the contents of the Gospel to witness, or adjured him to punish or reward, as he would violate or observe the oath which he made, by laying his hands upon the open book, whilst the layman did the same by kissing the book either closed or enveloped. And in several places the copy used for swearing, either has the figure of a cross marked on its cover, or is tied in such a way that the strings present that appearance.

During the chaunting of the Gospel, the people as well as the clergy stand. Formerly those who had staves laid them down as a token of their submission, and in the year 965, Miecislaus, the first Christian king of Poland, introduced a custom which was long followed by the Teutonic knights and several other religious military orders, as well as private knights, of either laying their hands on the hilts, or holding their swords drawn, in token of their devotion to the Gospel.

The celebrant at the altar stands with his hands joined, turned reverently towards the deacon who announces the sacred word; if the officiating clergyman be a bishop, he stands uncovered, and in most churches holding his crosier. From the beginning it was usual to hear the Gospel with this peculiar reverence. Nicephorus Callistus censured the custom, in the church of Alexandria, of the bishop remaining seated during the Gospel, which he said was a singular instance. However, Theophilus, as is related by Philostorgius, states that such also had been a custom in some churches of the East Indies several centuries since, but that it had been corrected. In order to guard against the irreverence of sitting during the Gospel, which began to introduce itself into some churches, Pope Anastasius directed that it should be corrected as an abuse.

Originally, the readers proclaimed the gospel a swell as the epistle, but at a very early period it became, through respect for the sacred writings, the prerogative of a deacon, if not of a priest, to chaunt it. In the church of Alexandria it was the duty of the archdeacon; such is also the case at Narbonne when the archbishop officiates. In some places a procession of several subdeacons and deacons, besides acolyths, go before the deacon of the Gospel; and in Constantinople, on Easter day, the bishop himself was the chaunter; such is also the case in some other places, on peculiar occasions. The rites vary, but the object is everywhere the same, viz.: to exhibit the great veneration which should be paid to the sacred volume.

The custom of laying the book on the altar and taking it thence, though now retained for its mystic instruction, was originally introduced from the high respect in which the Gospels were held by the first Christians. These portions of the Scriptures were not made up in the same volume with the epistles, the psalms, and the collects, but were kept separate, and brought with great ceremony from the sacristy to be laid upon the altar, before the liturgy began. When the proper time for proclaiming the Gospel came, the deacon then went to bring them to the pulpit or ambo. The ancient custom was, that during the recital he turned towards the south, where the men were assembled, as it was considered more decorous for him to address them than the females, to whom it was expected their husbands, fathers, or brothers would communicate at home, in familiar conversation, what had been thus published, if they should happen not to hear it distinctly. This mode of turning towards the south has, during several centuries been changed; and now in most churches the deacon faces the north, in some few the west. We shall see the reasons of convenience and mysterious instruction, that produced and confirmed this alteration.

Towards the conclusion of the Mass of the catechumens, the attendants at the foot of the altar began their preparation for the Mass of the faithful, the commencement of which was the oblation. In order to have the part of the altar on the celebrant's right hand unincumbered, and thus to make full space for the offerings, the book was removed to the side upon his left hand. This was done after the epistle had been read, and whilst the choir chaunted the gradual. When the position of the altar was changed, so that the celebrant stood with his face to the east; the book thus removed for the Gospel was on the north side; and the sacristy, having its door of communication on the south or epistle side, made it also much more convenient for the attendants to prepare all that was necessary for the oblation. When the celebrant read the Gospel, he turned rather towards the side than towards the back of the altar, for the purpose of addressing what he read, in some measure, to those who attended near him, and being more easily heard. The deacon soon followed the example of his superior, in his mode of turning to read: and piety soon

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discovered a mystic reason for continuing the practice. The Gospel was the mighty power of the Lord, for the destruction of that great adversary of man, Lucifer, who so gloriously arose amidst the children of light, in the morning of his existence, (Isaias xiv. 12,) but who, falling to the earth, wounded the nations. In the pride of his heart, he sought to ascend into heaven and exalt his throne above the host of intelligences that, like the stars of God, decorated the firmament upon which the Eternal was elevated. He chose for his station "the sides of the north." To the north then, against this adversary, the power of the Gospel was joyfully directed by the children of men; that he who sought to be like the Most High should be brought down into the pit. They who turned towards the west, chose this position as the most convenient to address the people.

In several churches there were many Greeks and Latins; and in most of those, the Gospel and epistle were chaunted in each language. In Rome particularly, in the early days of the church, this was the case, and the custom is still preserved when the Pope celebrates solemnly, on the great festivals of Christmas and Easter. This also exhibits to the faithful, the perfect union of those who observe both rites, in their common faith, government, and sacraments.

This concluded the Mass of the Catechumens. After which, there was usually a discourse by the bishop or some one appointed by him.

After this sermon the deacon warned the Catechumens and strangers to retire; previously however to the departure of the former, the bishop read some prayers for their improvement in virtue, and perseverance in the holy desire of being received into the church. He concluded with his blessing. The only rite that is now recollected as corresponding to this, is that which for centuries has existed in the Pope's chapel; where, after the sermon is concluded, the deacon bows before his Holiness and chaunts the confession, after which the Pope gives the usual form of general absolution, to which, by his authority, the preacher adds the publication of an indulgence, for those who have attended with true sorrow for their sins, and been reconciled to God, through Christ, by repentance. This rite was formerly not peculiar to Rome; the pontificals of other diocesses mention it; and it is generally believed to have been substituted for the blessing given to the Catechumens, when that order ceased to be numerous in the church.

In explaining the Mass of the Catechumens, it was necessary to dwell at some length upon a variety of topics, which, having been thus exhibited to the reader, shall be very slightly adverted to when they occur in the Mass of the faithful. Besides, although there be some diversity in the ceremonial of different churches even in this part of the liturgy, yet it is, especially in the canon, so comparatively small, that little, if anything, need be written upon it in a work like the present, which has no pretension to a literary or a critical character: and the chief part of this Mass is in substance so ancient, that little, save plain exposition, will be required.

The creed, though the first part, is the latest perhaps that has been introduced, and indeed can scarcely be called with justice a portion of the Mass, as that correctly speaking begins only with the oblation. Nor is this profession of faith always made.

In the early days of the church, as has been previously remarked, the creed was never committed to writing, neither were the forms of consecrating the sacraments: nor were the Catechumens initiated into the mysteries until the time of their baptism.

A symbol is a sign by which two or more persons upon comparison recognise each other, and by which also a person is distinguished from others. For Christians, the creed was the principal symbol. After the Catechumens and strangers had retired, the deacon in some churches warned those present, to examine each other, so as to be certain of the absence of intruders. This, however, was not the cause of having the creed recited at the Mass, though it might have been occasionally the test in this examination, even in the earliest days.

The first evidences that we find of its introduction are from the East. Timothy, Bishop of Constantinople, appears to have been the first, who in the year 510, gave any order for its repetition, in this part of the liturgy. He did so, in order to show the detestation in which the faithful held the heresies then existing, especially that against the Holy Ghost. Some authors attribute its introduction to Peter of Antioch, in 471. Be that as it may, the custom soon spread from Constantinople to the neighbouring churches. The third Council of Toledo, in 589, ordered it to be said in the churches of the Spanish provinces: the French and Germans adopted the custom during the reign of Charlemagne. In the year 1014, the Emperor Henry induced Pope Benedict VIII. to direct it to be sung in the Mass at Rome. Berno, who was present, relates the answer made by the Roman clergy to the commis-

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sioners of the emperor, when they expressed their surprise, that Rome had not yet begun to sing the creed in the Mass. They said, "that it was quite unnecessary; because Rome had never been contaminated by heresy." Still there are writers who assert, that this only regarded the chaunting, not the mere recitation, for they say that Mark, the immediate successor of Sylvester, and the 34th Pope, who came to the chair in 336, had at that period directed its recital.

St. Thomas of Aquin gives the reason for the selection of the days on which it is now used, viz.: on the Sundays, and those festivals in honour of any facts or persons of whom mention is made in the venerable document itself, on the feasts of the Apostles who delivered its contents, and those of the doctors of the church who explained them.

The celebrant begins alone to show that the doctrine was delivered to the faithful by those heralds who were invested with the Saviour's commission: and the choir follows it up, to exhibit the alacrity with which the people make open profession of believing what they have thus learned; for as St. Paul says "with the heart we believe unto justice, but with the mouth confession is made unto salvation." (Rom. x. 10.) At mentioning the name of Jesus, reverence is made by bowing the head; but at that passage which states his humiliation to become man for our sakes, we bend the knee; and on the two festivals of the Annunciation and Nativity of our blessed Redeemer, when we more especially commemorate this important event, the celebrant and his assistants kneel whilst the passage relating to it is sung by the choir. Whilst the latter part of the symbol is chaunted, the deacon, receiving the burse, from the master of ceremonies or the sacristan, pays due respect to the celebrant, and proceeds to spread upon the altar, the corporal or cloth which is to be under the offerings. When the creed is finished, the celebrant, before the offertory, salutes the people again with the address of *Dominus vobiscum:* to which of course he receives the usual answer. This might be looked upon as the proper commencement of the Mass of the faithful; for, as the council of Valence stated in the year 374, the reading of the gospels and all that preceded the oblation, was to be considered only as a prelude for the Catechumens, and St. Ambrose mentions that it was after he had dismissed the Catechumens, he began Mass. (Ep. ad Marcellam Soror.) We may also consider the whole office from this to the preface under the general name of the offertory. At present it consists in the offering the bread and wine by the celebrant, when they have been prepared for him; the incensing of the oblation, of the altar, and of the attendants; the washing of the fingers; the subsequent prayer; the invitation given to the people to pray; and the secret prayer.

Originally it was usual for the faithful to bring to the church the provisions, which they contributed to the support of the clergy, and the necessaries for the sacrifice and for the use of the temple: they offered them at this period, and the deacons selected what was proper for the altar; the remainder was sent to the bishop's residence, whence under his direction the clergy were supplied. This contribution was called an oblation or offering, and even sometimes a sacrifice made by the people. It is quite unnecessary here to enter into the history of the various customs and changes of different churches in respect to this offering. Some few vestiges of the practice remain; but the faithful are now generally accustomed, when they desire to have special commemoration made in the Mass for themselves or their friends, not to bring the contribution as it was originally made, to the church, and in kind, but to call previously upon the clergyman, and give him a very moderate offering in money.

The candles, however, given at ordinations, and the bread and wine at the consecration of a bishop, are remnants of this ancient practice. In some few places, offerings in money are made once or oftener in the year, at the altar, for the support of the clergy.

During the first four centuries this was done in silence, or at least without any continuation of the sacred office whilst the offering was made. But about the year 400, a custom began at Carthage, as St. Augustin informs us, founded upon the practice of the Jewish Church, and of which St. Augustin not only approved, but which he defended against the assaults of a tribune named Hilary. This was, that a hymn or psalm should be sung, during the offering: and this chaunt continued until the choir was admonished by the prelate that they might conclude, which admonition was given by inviting them to pray, *Orate.* St. Isidore in his book on church offices, (v. 1,) also assimilates this, to what is written respecting Simon, in Eccles. 1. "When he went up to the holy altar, he honoured the vesture of holiness: and when he took the portion out of the hands of the priests, he himself stood by the altar, and about him was the ring of his brethren: and as the

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cedar planted on Mount Libanus, and as the branches of palm-trees, stood round about him, and all the sons of Aaron in their glory: and the oblation of the Lord was in their hands, before all the congregation of Israel: and finishing his service on the altar, to honour the offering of the most high King, he stretched forth his hand to make a libation, and offered of the blood of the grape. He poured forth at the foot of the altar a divine odour to the most high Prince. Then the sons of Aaron shouted, they sounded with beaten trumpets and made a great noise, to be heard for a remembrance before God, (xxx.,) and the singers lifted up their voices, and in the great house the sound of melody was increased."

From Carthage the custom spread to other churches: some writers assert that psalms for this purpose were regulated in the Roman order by Pope Celestine as early as 430, whilst others would lead us back to the time of St. Eutychian, about 120 years before the transaction at Carthage, and assure us that even then this offertory was either read or sung. At all events, the greater portion of the selections now used, are found in the antiphonary of Gregory the Great, about the year 600.

Before reading this passage, now called the offertory, the celebrant invites the congregation by *Oremus*, to pray. Having read the appropriate selections, he is now ready to commence the oblation, whilst the choir continues the chaunt. If a bishop celebrates pontifically, he now goes to the altar, having taken off his gloves and washed his fingers, that he may the more conveniently perform his duty.

The sub-deacon has at this time, generally, a large silk scarf placed upon his shoulders, and going to the credence table, he takes the chalice, over which an attendant brings the end of the scarfs, and he thus carries the offerings up to the deacon who is at the right hand of the celebrant. The deacon receives the chalice, and taking off the paten or small plate with the bread, he delivers it to the celebrant, kissing as usual the object given, and the hand which receives it. The celebrant lifting the paten with both hands, presents to the Lord the bread that is to be consecrated; looking forward to what is about to be produced upon the altar under the appearance, he prays that it may be acceptable. Making the sign of the cross with it over the altar, he places the bread upon the corporal. Meantime the deacon has cleansed the chalice with the purifier, and poured wine into it for the purpose of consecration; one of the acolyths having brought up the cruets containing wine and water from the credence table: the sub-deacon holding the cruet with water requests the celebrant to bless it. In some places, if a bishop or prelate be present within his own jurisdiction, it is carried to him for the purpose, as is also the incense. The water is blessed by the appropriate prayer and sign of the cross, and an extremely small quantity of it is mixed with the wine in the chalice: after which the celebrant, receiving it from the deacon, offers it in like manner as he has done the bread, and then laying the chalice on the corporal, he covers its mouth with the pall. The sub-deacon receives the paten, which he holds enveloped in the scarf and retires to his place behind the celebrant.

The object of introducing the bread and wine is so well known as to require no explanation. The mixing a small quantity of water with the wine has been practised from the beginning, and there exists the most conclusive proofs of the Saviour having used the wine mingled when he instituted the sacrifice. The mystic lessons taught are from the most venerable antiquity: first, the offer of the eternal Father of the people, who because of the weakness of their nature are represented by water, together with Christ who is represented by wine, that, as the prayer expresses, since he vouchsafed to become by the incarnation, partaker of our nature, we might, in the resurrection, be made associates of his glory. The quantity of water is extremely small, and is altogether lost in the wine, to show how imperfect is that human nature which he assumed, and how completely we should subject ourselves to the divine will, so that we may live to God. with Christ nailed to the cross; and so live in the fulfilment of His precepts, that we could say with the Apostle, (Gal. ii. 20.) "I live, not now I, but Christ liveth in me." Another mystical lesson is that of the perfect union of the two distinct natures, divine and human, in the one person of Jesus Christ: we are also reminded by it of the water mingled with blood, that came forth from his side, when it was opened with a spear. Formerly the water was poured upon the wine in form of a cross.

In masses for the dead, the sign of the cross is not made over the water, for the same reason that no blessings is given at that sacrifice, because it is offered on behalf of those, who though still capable of profiting by our prayers, are not so subjected to the authority of the celebrant as to be blessed by him. The wine has no cross nor prayer over it, as it represents the di-

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vine nature, upon which no blessing can be conferred.

The prayers said at the offering of the host and chalice, are not of the most ancient, though yet of highly respectable standing: they only more distinctly and accurately express what was always substantially prayed for, in a low voice by the celebrant.

This mystic lesson is also taught by some liturgical writers. That during the celebration of the offertory, the people might beneficially occupy their minds, with reflecting upon the manner of the entry of Jesus into Jerusalem; whilst he was going as a lamb to the slaughter, the multitude met him with the loud acclaim of "Hosannah to the son of David," though they were in the course of a few days to cry out "Crucify him." Thus now we can contemplate the approach of that victim, whom we crucify by our sins. This will more fully apply to the termination of other prefaces.

The original usage was to consecrate the Eucharist upon the paten, which was very large; and was kept upon the altar not only to contain what served for the communion of the priest, but also for that of the people. However, about twelve hundred years have passed away since the custom has been introduced of consecrating upon the corporal, and then the paten was removed from the altar, and held enveloped in a scarf by one of the attendants, until it was required after the Lord's prayer, for the purpose of breaking the host upon it. Various customs prevailed regarding the person who was to keep it, and the manner in which it was to be held; for some centuries it was given to an acolyth, who not being in holy orders, was not permitted to touch the sacred vessels; but like the sons of Caath, (Num. iv. 15.,) held it enveloped; subsequently the duty was given to a sub-deacon, who, though in holy orders, yet continues to wear the scarf for the purpose of keeping this sacred vessel clean by having it rolled in this veil.

The prayer which the celebrant recites, bowing down, after having covered the chalice, has been extracted probably from the Mozarabic Missal, and is founded upon Daniel iii. 39, 40. Then raising himself to invoke the Lord, and looking to Heaven, whilst he invites the descent of the sanctifying Spirit, the Holy Ghost, he makes the sign of the cross over the oblation: for though the great work that is to be performed, derives its effect from the institution of Him who died upon the cross, yet the uniform testimony of antiquity assures us, that it is the Holy Ghost, who sanctifies and changes what is placed upon the holy table; and the Apostle St. Paul informs us, that it was by the Holy Ghost, Christ offered himself unspotted to God, to cleanse us from dead works. (Heb. ix. 14.)

The incense is now put into the censer and blessed; the offerings, the altar, and those present are perfumed in due order; to exhibit to each proper respect, and to teach us how we should now send up our prayers before the throne of the Eternal. This mutual homage between the several members, is also not only a tribute of respect and an exhortation to prayer, but moreover, a token of communion.

The celebrant next washes his fingers at the corner of the epistle, not merely to remove any impurity that might have been contracted from the censer, but as an admonition to him, how necessary it is to have the utmost purity of soul, for the solemn service in which he is to be engaged. St. Cyril of Jerusalem, writing about fifteen hundred years ago, for the instruction of his neophytes, or newly baptized, upon this subject, thus addresses them, (Catech. Mystagog. v.) "You have seen water brought by the deacon, with which the officiating priest, and the other priests who stood round the altar, washed their hands. Do you think that was done for the sake of bodily cleanliness? No indeed, for we are accustomed to enter the church purified; so that we have no filth, but are clean and pure; but this washing of the hands should exhibit to us, that we ought to be free from all sin; for as our deeds are represented by our hands, it has the signification, when we wash our hands, we cleanse our deeds." He then refers to the prayer from the psalms as given below: the same is taught by the author of the work on the ecclesiastical hierarchy, attributed to Denis the Areopagite. (Cap. 73.) The celebrant repeats during this ablution the following seven verses of the Ps. xxv. "I will wash my hands amongst the innocent; and will compass thine altar, O Lord: that I may hear the voice of thy praise, and tell of all thy wondrous works. I have loved, O Lord, the beauty of thy house: and the place where thy glory dwelleth. Take not away my soul, O God, with the wicked: nor my life with bloody men: in whose hands are iniquities: their right hand is filled with gifts. But as for me I have walked in mine innocence: redeem me and have mercy on me. My foot has stood in the direct way: in the churches I will bless thee, O Lord." To this he adds the Doxology of, Glory be to the Father, &c.

Going then to the middle of the altar, the

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celebrant bowing down, with hands joined in supplication, prays to the Holy Trinity to accept the sacrifice, which is about to be offered, that it may be to God the testimony of adoration, that it may redound to the honour of the saints, who are with Him in Heaven, and conduce to the salvation of those who are present, and of all the church. He also now beseeches the intercession of the saints; then kissing the altar, he turns round to request the congregation of his brethren to pray in like manner, that this sacrifice may prove acceptable to Heaven, and advantageous to those present: *Orate Fratres, &c.* They answer by the expression of their sincere desire, that it may be received by the Almighty, to the honour and praise of his own holy name, and not only to their benefit, but to that of all His holy church. The prayer which follows is called "the secret," because it is said in a low voice. The mystic writers tell us, the object is to exhibit, that what is about to take place is to be performed by that divine power, which exceeds the understanding of man. The tenor of the prayer corresponds to that of the collect, and at its termination, the words, *per omnia sæcula sæculorum*, are chaunted; to give the people notice that the prayer has been concluded, and to afford them an opportunity of answering, *Amen*.

The celebrant then commences the preface, or invitation to praise God, which precedes the canon or principal part of the liturgy. This invitation is chaunted. It is preceded by the usual salutation of *Dominus vobiscum;* but now, having the offerings which he is to consecrate before him, upon the altar, the priest does not turn round: after the choir answers, he invites the congregation, by *sursum corda*, to lift up their hearts; they answer *habemus ad Dominum*, "We have them to the Lord." He continues to lead them, *Gratias agamus Domino Deo nostro.* "Let us give thanks to the Lord our God." He had previously lifted his hands, and now he bows his head; they answer, *Dignum et justum est.* "It is fit and just." He then continues to chaunt the preface, commencing with the declaration, that it is truly fit and just, becoming and useful, always, and in all places, to give thanks to God for his blessings, but especially on the occasion for which we are assembled; he then describes the nature of the festival, and the dispositions which are appropriate. Wherefore he calls upon them to render their praises through Jesus Christ our Lord, uniting their voices in humble strains with the angelic host, who sing, Holy, holy, holy, Lord God of hosts, the heavens and the earth are full of thy glory! Hosanna in the highest! Blessed is he, who comes in the name of the Lord, Hosanna in the highest!

The celebrant ceases his chaunt, when he arrives at the *trisagion* or thrice holy, and the choir continues the thrilling strain, which the enraptured prophet and beloved evangelist heard in the heavenly court; a small bell, by its tinkling, gives notice, in some churches, to the assembly, that the most solemn canon is about to commence, so that they may redouble their attention. This, indeed, is the moment also to reflect upon the arrival of the great Victim of reconciliation in Jerusalem, when the multitude took branches of palm-trees, and went forth to meet him and cried, Hosanna, blessed is he that cometh in the name of the Lord. (John xii.) The deacon, who stood behind the celebrant during the hymn, now goes up to remain at his side, and to assist him.

That portion of the liturgy which succeeds is called at present the "canon:" the meaning of this word is "a rule," and it is applicable to these prayers,—because, however the others might vary, this scarcely differed in the several churches, and few changes have been made in it from the earliest epoch of our religion. Those made previous to the time of St. Gregory the Great, were comparatively trifling; and since his day it has continued, during upwards of twelve hundred years, altogether unchanged. Pope Vigilius, about the year 540, called it the "canonical prayer." Innocent I., about 140 years earlier, gives it the same name that St. Augustin used when mentioning it about the year 430, and which Cyprian gave it about 250, viz., "the prayer" by excellence. In a capitulary of Charlemagne, in 789, it is denominated the "Missal." A council at York, in the pontificate of Celestine III., about 1195, styles it, "the secret of the Mass." And one at Oxford, in the pontificate of Honorius III., about 1222, gives it the name of the "canon of the Mass;" several very ancient writers call it the prayer at or "during the action." References to the phraseology, as we now have it. are found in several very early authors, amongst whom are St. Ambrose, St. Optatus of Milevi, and others who wrote in the fourth century A number of irrefragable critical internal evidences carry back the proof of composition to a much earlier period. Thus, the Council of Trent was fully within bounds, when it informed us that it was a compilation of the words of the Saviour, the traditions of the Apostles, and the institutions of some holy pontiffs.

The discipline in the first ages of the church regarding the secret, prevented its

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being reduced to writing; but a most remarkable similarity prevails in the liturgies of the several early rites, which evinces that they must have been derived from a common source.

The custom which still prevails of reciting the canon in a low voice, so as not to be heard by the people, thus giving to understand that the change which is effected in the bread and wine is the effect of the invisible and imperceptible operation of the Holy Ghost, has been derived from very ancient times. This reason has been given by several authors during succeeding centuries.

The priest lifts up his hands and eyes to heaven at the commencement, when he invokes the most clement Father to receive the gifts about to be offered; then bowing down he makes his supplication, and kisses the altar, previously to making thrice the sign of the cross over the offerings. He then entreats that these may be received for the whole church, especially for her visible head, the Pope—then for the bishop of the diocess, in some places, for the temporal rulers, and all adherents to the orthodox and apostolic faith. He then begs of the Almighty in a special manner to regard some living persons whom he particularly recommends; amongst them are his immediate benefactors: he concludes by the recommendation of all present, according to the measure of their devotion, of which the Lord alone can judge; for he only can search the reins and the heart. Calling then to mind the saints, who, released from their bodies, are in celestial glory with the Lord, he brings before the divine view, that we not only communicate with them in the doctrine to which they adhered, but that we hold their names, their virtues, and their memorials or relics in veneration, and trust much to the aid which we expect from their prayers and merits, through Christ, their Lord and ours.

From the beginning it was usual to have in the church dyptics,—that is, parchments or tablets with two folds, so as to make three columns,—and the names of three classes of persons were inscribed upon these tablets. First, the Apostles and martyrs, of whom the church, under the conviction that no one could exhibit greater love than to lay down his life for his friend (John xv. 13), believed they died in that charity, which secured to them an immediate passage to the realms of bliss. These names were read in the assemblies of the faithful, when they congregated round the holy altar, not to pray for those named; for, as St. Augustin writes (in tract. 74, in Jo. annem), "Thus, at the table of the Lord we do not commemorate the martyrs, as we do others that rest in peace, so that we may pray for them,—but rather that they may pray for us, that we should follow in their footsteps." These saints were brought under the divine observation, upon the same principle as the Israelites so frequently brought their deceased patriarchs before the Lord, that he might be induced to act towards the Christian flock as he did towards Jerusalem when it was threatened by Sennecharib, (4 Kings xix. 34.) "And I will protect this city, and will save it for my own sake, and for David my servant's sake."

Upon another column were inscribed the names of those who had died in the peace or communion of the church, leaving indeed hope, but not assurance, of their being acceptable; but yet, as they might be liable to temporal punishment, though released from the guilt of sin, and freed from the danger of eternal pain, or by reason of lesser sins not fully repented of, being members of the church, they shared in her communion, and might be aided by her prayers; so that, through the merits of the Saviour, and the suffrages of their brethren, their afflictions might be diminished either as to its intensity, or duration, or perhaps both, in that state of purgation in which they were detained until their penalty was fully paid, or the divine mercy was extended. The doctrine of the people of Israel, and of all true believers from the beginning, on this point, was that which the Catholic Church has always held; and she has followed, in this respect, the discipline which came from her founders, and which is similar to what the children of Abraham derived from their great progenitors.

The Jewish people continue, even at this day, the habit of observing peculiar solemnity of prayer for their brethren on the day of their decease, or that of their interment, on the third day, on the seventh, on the thirtieth, and on the anniversary. This people clearly did not borrow from Catholics (who, it is asserted, made this "fond invention" in the darkness of the middle ages) the religious customs which they thus observe. They trace back this belief and practice to the revelations made even before the Lord called their fathers from Egypt, to give them his new institutions upon Sinai. They find examples in Genesis i. 10, where the children of Jacob celebrated the exequies of seven days, not with the mere grief of the uninstructed, for they were not sorrowful even as others who had no hope (1 Thess. iv. 12); so the observ-

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ance of the thirty days was exhibited in Numb. xx. 30. This nation has always observed the anniversaries by prayer; and still, though its sacrifices have ceased, and it is no longer in their power to have them offered, as the valiant Judas procured (2 Maccab. xii. 43), yet they preserve the practice as far as they are able; and therefore they have, on their yearly day of expiation, offerings and prayers for the dead. All the Christian liturgies had, from the beginning, prayers for those thus deceased; for, as St. John Chrysostom observes (Hom. 69, ad pop. Antioch), "It was not vainly regulated by the Apostles, that the tremendous mysteries, commemoration should be made of the dead." And St. Augustin informs us, in book 9 of his confessions, that his mother, when she found herself dying near Ostia, requested that she should be remembered at the holy altar; and in many passages of his works, this great doctor of the church informs us, as he does in Sermon 32, de verb apost., "The whole church observes this, which has come down from our fathers, that, for those who have died in the communion of the body and blood of Christ, prayers should be offered when commemoration is made of them at their proper place during the sacrifice, and also that commemoration should be otherwise offered on their behalf." Thus, the saints were prayed to, the others were prayed for. The only difference that is found in this respect between the churches is, that upon some dyptics the same names are found upon different columns. This, however, is easily explained, as is also that of the names in different churches not being always the same.

The third column contained the names of the living. Amongst these, that of the Pope was first, then that of the immediate bishop, some of the other prelates in the same province occasionally, frequently that of the emperor or king, and those of remarkable benefactors.

During the first eight or ten centuries, it was usual for the deacon to read those names at the proper time; and if any of the living had been excommunicated, his name was omitted: this was called striking him out of the dyptics. At this part of the canon which has been observed upon, and which is called the first memento, the list of the living was read first; that of the saints was read in the prayer afterwards. The first person who struck the name of the Pope from the list, according to Nicephorus, was Acacius of Constantinople, who expunged the name of Pope Felix II. Dioscorus, of Alexandria, who was the great promoter of the Eutychian heresy, struck the name of Leo the Great from the dyptics of his church, as did the several oriental bishops who persecuted Athanasius, and embracing the Arian heresy left the communion of Pope Julius. These were predecessors of Felix, so that we must suppose Nicephorus in stating that it was first done by Acacius, intended to confine his meaning to Constantinople. The Pope's name was, however, subsequently restored in that church. The Emperor, Constantine Pogonatus wrote to the holy father at the time of the sixth general council, that he strenuously opposed an effort that was there made to erase the name of the Roman pontiff. It was, however, expunged when Photius made his great separation, in which, unfortunately, the larger portion of the Greeks joined their schismatical leaders.

The names of the saints retained at present in the canon, are only a few of the principal and most ancient, to which is added the general expression of all thy saints "by whose prayers and merits, we beg thee to grant, that in all things we may be strengthened by thine aid through the same Christ our Lord. Amen."

Then spreading his hands over the oblation in like manner as it was usual to do in regard to the victim, (Levit. iv., viii.) and looking forward to what is soon to be upon the altar, the celebrant prays that receiving the victim, with which, by this rite, he identifies himself and the congregation, on whose behalf he makes the offering, the Almighty would accept it for an atonement, that he would dispose our days in peace, save us from damnation, and place us amongst his elect. Venerable Bede informs us, in his history of England (lib. ii. c. i.), that it was Gregory the Great who added the words of these three last petitions.

It would, perhaps, be well here to explain briefly for those who are not fully acquainted with it, our doctrine regarding the eucharistic sacrifice, otherwise it will be impossible for them to form a correct notion of the ceremonial itself. One of our chief misfortunes in this and similar cases, is that the great body of our separated brethren form very strange ideas of our belief; they in most cases attribute to us what we either condemn as untrue, or reject as absurd. It is, indeed, difficult for many of them to procure accurate information; and it has been frequently found that they who were most in error, were those who imagined themselves best acquainted with our tenets. In the doctrinal explanations scattered through this little compilation, there is neither opportunity nor room for spreading out

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the evidence by which they are sustained. The reader must not, therefore, imagine them to be vindications, for they scarcely even deserve the name of brief and imperfect expositions of the doctrine of the Catholic Church.

Respecting the articles under consideration: In the first place, Catholics believe in the real presence by virtue of transubstantiation; and, secondly, they believe that the body and blood of Christ thus made present, are truly offered in sacrifice, on our behalf.

Upon the first point: they deny that the body of Christ is present in its natural mode of existence, though they believe it to be really, truly, and substantially present. To make this distinction clear, we shall have recourse to St. Paul, (1 Cor. xv. 35, and the following verses.) Here the Apostle treats of the resurrection from death. It is a tenet of the Christian Church, learned from God by revelation, (for no reasoning could lead to the discovery,) that all men should rise in the same identical bodies which were theirs during their mortal pilgrimage; the bodies in which they shall arise will be truly, really, and substantially the same which they had before death. Yet shall they be changed in their mode of existence; "it is sown a natural body, it shall rise a spiritual body." (v. 44.) That is, though its identity will continue, its manner of subsisting shall be changed: its attributes and qualities will not be such as they were during its natural and mortal state, but shall resemble those of spirit. Consonant to this is the testimony of the Saviour himself. (Matt. xxii. 30; Mark xii. 25; Luke xx. 36.) "In the resurrection they shall be as the angels of God in Heaven." They shall be no longer subject to the laws, that regard bodies in their natural mode of existence, but shall be governed by those peculiar to the spiritualized state to which they shall have passed. To argue respecting bodies in this new state, as subject to the natural laws made for their previous circumstances, would resemble the absurdity of him who should undertake to bind an angel with a cord, or lock up a seraph in a dungeon.

Catholics know that Christ arose from the dead; they of course believe that his body is no longer in its natural, but is now in this spiritualized mode of existence; they know of no absurdity more ridiculous, than to argue respecting this, as if it were subject to the laws which govern those bodies that are merely in their natural state. They observe facts recorded in the sacred volume, which prove beyond all question the folly of any effort to apply those principles to the glorified body of the Saviour. One of these is recorded in John xx. 19, where he entered the chamber in which the disciples were, though the passage to it was closed, and he must, therefore, have carried his body, which was previously outside of the material which enclosed the room, through the same substance to the interior apartment where the brethren were assembled. A similar fact is related in verse 26, of the same chapter.

Catholics also believe, that though the Almighty has established general laws by which bodies produce upon our senses impressions which we call their appearances; and for wise purposes has ordained that similar bodies shall have similar appearances; and, generally speaking, that the same body shall have the same appearance, still these laws are not so uniform and constant, as not to admit of some exceptions. But supposing no ordinary exception; they believe that the Creator who made those laws, has power, when he thinks proper, by a special interference, to except one or more bodies from their operation; still they think it proper and reasonable to consider the laws in full force, until they shall have unquestionable evidence of the existence of an exception. However, if such evidence be adduced, they believe it would be then as unreasonable to assert that the excepted case was under the influence of the law, as it would be, previously to having this evidence, to deny the operation of the law itself. Thus they know that when we have the testimony of our senses for the appearance of a living man, it is proper upon the general principle to suppose that a man is present, and therefore Abraham reasonably concluded (Gen. xviii. 2), that he met human beings to whom he extended his hospitality. Lot and the men of Sodom reasonably believed (Gen. xix. 1, 5, 10), that they had human beings in their city, and Josue (v. 13) reasonably supposed that he saw and spoke with a man; yet in those, and many similar instances, the angelic substance, in exception to the general law, really had, by the exertion of supernatural power, the appearance of a human body; and Abraham, Lot, and Josue would have acted against every principle of reason, had they, when they received evidence that these cases were exceptions, still insisted that because the appearance was that of man, men and not angels were present. But had they the testimony of God himself for the fact, that he placed the angelic substance under the human appearance, and notwithstanding this, had they obstinately insisted that such could not be the case, for

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that the substance must always correspond with the appearance; their unbelief and opposition would deserve to be called by a name more strong than mere folly or absurdity.

Catholics believe that Jesus Christ could, even before the resurrection, give to his body those qualities which it exhibited after he arose from the dead; and not only do they rest this belief upon his attribute of omnipotence, but they have it, sustained by the evidence of his transfiguration, related in Matt. xviii.; Mark ix.; Luke ix. 28. They also believe that by means of this body he could produce upon the senses of the beholder such impressions as he might judge proper; and that his simple word would be sufficient evidence to show an exception to the general operation of any law. They can, therefore, perceive no difficulty in believing, that he could give his spiritualized body the appearance of bread; but they do not consider it would be reasonable to believe that he did so, until they should have unquestionable evidence of the fact. His simple declaration would, however, be sufficient to establish its truth.

Substances are said to be fully changed, when one with its proper appearance, comes in place of another, so that neither substance nor appearance remains the same. Appearances are changed when the substance, remaining unaltered, produces a different impression upon the senses of the observer, from what it previously did. Transubstantiation is when the substance is wholly changed, but the impressions upon the senses of the observer are exactly the same as they had been, previously to the alteration. Thus we believe, that before the consecration, the bread and wine are really present under their proper appearances upon the altar: but that at the consecration, by the power of God, by the institution of Christ, through the operation of the Holy Ghost, by the ministry of the celebrant, the substances of the bread and wine are altogether changed, and the substances of the body and blood of Jesus Christ produced in their place, and these last excite upon the senses of the observer, exactly the same impressions which would have been produced by the former substances, had they still continued, and for the same length of time, and in the same manner. Transubstantiation is therefore, a change of substance without any change of appearance.

Though it would seem to be inconsistent with our principles of natural philosophy to assert that any body could, at one and the same moment, be whole and entire at several points of space; yet it is believed that, even supposing the full truth of those principles, no difficulty can arise therefrom in the present instance: because, in the first place, they apply only to bodies in their natural state of existence; which is not the case of the body of Christ in the eucharist: because also, this body is now endowed with the qualities of spirit, of whose relation to space, if any, we are totally ignorant, save that we know One Spirit who is whole and entire at every imaginable point. He fills all space by his immensity, and yet he leaves room for all creatures; he is everywhere, and yet, though simple and immense, he is as it were multiplied by his entire perfection in every spot of the universe. We also know that created spirits manifest their correspondence to certain points of space, without being circumscribed as bodies are in this mortal state, so as not to be found without those points. And St. Augustin says of the human soul, that not only is it whole and entire throughout the body, but it is whole and entire through each and every part thereof. And in the third place, we have manifest scriptural evidence of the fact, that the Saviour after his resurrection was in at least two distinct places at the same moment. Our separated brethren have objected to us that it was impossible Christ should be present in the eucharist, because St. Peter declared (Acts iii. 21,) that he must remain in heaven "until the time of the restitution of all things." We freely assent to the correctness of the exposition so far as it declares that Jesus Christ in his resuscitated flesh remains in heaven, for ever sitting at the right hand of God. (Heb. x. 12.) But we are also informed in the same book of the Acts of the Apostles (ch. ix.) that he appeared to St. Paul on this earth on the road between Jerusalem and Damascus, whilst he was also in heaven. (v. 17, ch. xxvi. 16.) The apostle shows that it was not a mere spiritual vision, for he founds upon this bodily exhibition, the argument of the truth and reality of the Saviour's resurrection. (1 Cor. xv. 8.)

The only question now remaining regards the fact of Christ's declaration that his body would be really present in the eucharist. Upon this point the evidence that might be adduced is to the greatest extent, and it is of the most conclusive description. But this is not the place for its display. One or two observations however may be permitted. In the first place, it is admitted by all that he declared (John vi. 52,) "The bread which I will give, is my flesh for the life of the world, and that (v. 53) the Jews therefore strove amongst themselves, say-

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ing, How can this man give us his flesh to eat? Then Jesus said to them, Amen, amen, I say unto you, except you eat of the flesh of the Son of man, and drink his blood you shall not have life in you. He that eateth my flesh, and drinketh my blood, hath everlasting life, and I will raise him up at the last day; for my flesh is meat indeed, and my blood is drink indeed." A number of his disciples who certainly could see no difficulty in his giving them bread to eat, and wine to drink, and calling these, emblems of his body and blood, would not believe that he could perform what he promised, and left him: others imagined that they were to eat his flesh in its natural state of existence, and their mistake was corrected, (63 and 64,) for the dead flesh of his mangled body was not what he was to give; but that body in its spiritualized state, united with his soul and divinity, such as he would bear at the time of his ascension to that heaven where he was before. It is also universally admitted, that on the night that he was betrayed, he, in fulfilment of his promise, sat down with his Apostles; (Matt. xxvi. 26,) "whilst they were at supper, Jesus took bread and blessed, and broke and gave to his disciples, and said: Take ye and eat: this is my body. And taking the chalice he gave thanks, and gave to them saying: Drink ye all of this: for this is my blood of the new testament which shall be shed for many unto remission of sins." The obvious meaning of these passages, and of several similar to them is, that under the appearance of bread and wine he gave his body and blood to his Apostles. It is also clear and unquestioned that he gave to them power to do what he had done. Of course the entire question will be resolved by ascertaining what he did. The only difficulty against admitting the Catholic doctrine, is found in its alleged impossibility. Taking the divine power into account, from what we have before seen, this difficulty vanishes: and all the evidence is in favour of the doctrine, for certainly the Saviour would not, on the most important and solemn occasion, use words calculated to mislead, when he foresaw that out of respect to his authority, the great mass of Christians would construe those expressions in their plain and obvious meaning. But if we could ascertain the fact, of what the first Christians believed to be the nature of the eucharist, all doubts respecting the meaning of his words would be at an end; because they who lived with the Apostles, must have learned from them exactly what they were taught by Christ. The following is suggested as a simple and easy mode of resolving this inquiry.

At the period of the unfortunate religious divisions which occurred in Europe in the sixteenth century, all the churches of Christendom professed the doctrine of transubstantiation. No person can seriously question this fact. This must then have been the doctrine of the first Christians, or else it must have been substituted for a different and prior doctrine. Before asserting with any justice that such a substitution was made, it is requisite to show not only what the previous doctrine was, but also to exhibit when, and how the substitution occurred. An effort has been made to do so by exhibiting a decree of a council held in the Church of St. John of Lateran in the year 1215, by which it is pretended the doctrine of transubstantiation was established. In the first place, no decree or canon of that council bears upon the question. And not only did all the members of the Latin Church previously hold the doctrine, but it was also held by the Greeks; not only by those in communion with Rome, but by those who had been separated from her, and virulently opposed to her during upwards of four hundred years before that council was held. They did not receive it from the Latins, but as they asserted, it came to them from their fathers, who informed them also, that it was the doctrine of the Chrysostoms, the Basils, the Gregorys, and all their other great witnesses in the preceding ages, and that through them it had been derived from the Apostles. Thus it was clear that it was the general doctrine of the church in the ninth century, when this unfortunate Greek separation occurred.

Another effort was made to fix the period of its introduction in the eighth century, about the time of the second Council of Nice, when the Greeks and Latins being united, the error might have insinuated itself into both churches from a common, contaminated source. But at this epoch the millions of Eutychians who abounded in the East, had been separated from the parent church, and bitterly opposed thereto since the middle of the fifth century, and they always held the doctrine of transubstantiation, and declared that at the period of their condemnation at Chalcedon, in 451, it was the only one known amongst Christians as having come from the Apostles. Twenty years before this Council of Chalcedon, Nestorius and his adherents were condemned at Ephesus, and the antipathy and hatred which they bore to the Eutychians, was equalled only by the animosity of the latter against them: yet the Nestorians united with the Euty-

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chians and the Greeks, in testifying that during the four ages that preceded their separation from the church, no other doctrine on this subject was heard of, but that in which all were united. Of course it is evident that it could not have been a novelty introduced in the eighth century, for it at least was the universal belief in the fifth age. The Macedonians, who were condemned fifty years before the Nestorian heresy, and the Arians, who were separated from the church about sixty years before the censure of Macedonius in the Council of Constantinople, united in the same testimony. All these various sects indeed proclaimed that the church in communion with the Pope erred; but they each condemned the peculiar errors of the others; yet all united in declaring that our doctrine of transubstantiation was held by the first Christians, received by them from the Apostles, delivered to them by Christ, and contained in the Scriptures. We may extend the principle to a number of preceding separatists, who bore similar testimony, and thus arrive at the very days of the Apostles. But let us ask the reason of such unanimity respecting the doctrine of the eucharist, at this time, so soon after the death of the beloved Evangelist? It was clearly because no effort had been made to change what all had received from the Apostles, and what was uniformly believed in all the churches from Britain to the Ganges, from Scythia to Ethiopia. Had any such effort been made, we should have been informed thereof, and of its consequences, by the historians who have transmitted to us the particulars of so many petty disputes, of so many obscure sect-makers. We have the enumeration of heresies by St. Epiphanius, and he gives us no statement of any change of ancient doctrine upon this head. We have indeed the testimony of one ancient writer, who exhibits to us the phantasmatics as denying, consequentially, the reality of Christ's presence. We are told that they did not admit either the eucharist or oblations, because they denied that the body of Christ could be there, for they asserted that he had no real body, but a phantasmatic appearance. Were there any other aberration, we should also have the testimony. But none is to be seen. Catholics are taught that their belief must be founded upon reasonable and solid grounds; and not having the evidence of any substitution of other tenets for the pure doctrine of the Saviour upon this point, they cannot reasonably believe that any change has taken place. We have a mighty mass of evidence, not only in the writings of the fathers who decorated the splendid ages of the church, but in the monuments of her early discipline, as well as in her liturgies, to show that the faith of the Christian world from the beginning has been what it is to-day.

Laying aside all these considerations, two others shall be just touched upon. The question is one of fact, not of opinion. Fact is to be ascertained by testimony; the only testimony we can now have, regards what has been handed down in all the churches that exist, as the original doctrine of their founders. Let them be marshalled, and it will be seen that the churches which testify this original doctrine to have been that of transubstantiation, are at least four times as numerous as their opponents. But let us apply another test. Let us exclude the Catholics, and assemble all those from the east and the west, who have departed from Catholic communion. Let all this multitude be brought to vote, either as individuals or as churches, and the vast majority of our opponents themselves will declare, that upon this point the original doctrine was transubstantiation. Surely then the separatist, however highly he may value his own opinion, will not venture to pronounce as unworthy of his respect, the testimony of more than one hundred and fifty millions of Catholics, and upwards of fifty millions of Greeks, Armenians, Nestorians, Eutychians, Copts, and so many others, who though separated from our church, yet believe that transubstantiation was the doctrine taught by Christ to the Apostles, the doctrine which of course is contained in the Holy Scriptures! But we must desist.

Upon the second point, Catholics knowing that the same victim who once offered himself in a bloody manner upon Calvary, is now produced upon the altar, and there in the hands of the priest offers himself to his Father on behalf of sinners, believe that it is a true, proper, and propitiatory sacrifice, and yet not a different one from that of the cross, for it is the same victim offered by the same great high priest. And the identity of the priest and of the victim constitutes the identity of the sacrifice. The difference consists of this, that on Cavalry he was first immolated in blood, to take away the handwriting of sin and death that stood against us: upon the altar, the immolated victim is produced under the sacramental appearance, and mystically slain by showing forth his death, in the apparent separation of his body from his blood; and the lamb thus placed as slain, is offered to beseech the application of his merits specially to those who make the oblation, or on whose behalf it is made.

The prayer which now follows is that

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which from the commencement has been used for producing the divine victim, and it is therefore called the prayer of consecration. The celebrant making several times the sign of the cross over the offerings, intreats the Almighty that not only would he receive the oblation that is about to be made, but also that he in his mercy would make it beneficial to us.

He knows that it will become the body and blood of Christ, but he begs that *for us* it may be made so; that is, that we may obtain the fruits of redemption by its means. This is besought through Christ himself.

The deacon now kneels at the right hand of the celebrant, torch-bearers frequently surround the holy place; the incense bearer is prepared; the last notes of the angelic anthem of the sanctus have died upon the ear; all are in the attitude of homage and devotion, whilst the celebrant recites the history of the institution; and at the recital of the Saviour's words, in the Saviour's person, by his frail representative, He vouchsafes Himself to fulfil His promise; for though the heavens and earth should pass away, his word will not fail. He is then on the altar under the symbolic emblems! In some places a small bell tinkles to give notice; the celebrant adores, he lifts the host. He kneels, he rises, consecrates the chalice, he adores, he elevates, the bell continues, the people are prostrate in adoration. The ancient fathers are extatic in their descriptions of that awful and mysterious moment! In the Greek Church, the custom was to have the sanctuary enclosed with a curtain, which was drawn aside some time after the consecration, but previously to the communion, and the holy victim was exhibited for the adoration of the people. St. John Chrysostom tells the people in his fifth homily upon the epistle to the Ephesians, that they should look upon the sanctuary as if the heavens themselves were unfolded to their view, that they might behold Christ and the bands of angels that attend upon him. Angels indeed assist there, as he says (in Hom. 16, to the people of Antioch), for their King is present, whom they surround, as his guards accompany the emperor; and when we see the clouds of incense ascend, we should waft our aspirations upon the breathing perfume, that angels may present them to Him who was for us elevated upon a cross, that we might be exalted in His glory. Here indeed says Simon of Thessalonica (de templ. et Miss), as Paul foretold, in the name of Jesus every knee bends, and every tongue confesses that our Lord Jesus Christ is in the glory of God his Father. St. Ambrose (Lib. iii. c. 12, de Spir. sanct.) describes what is produced as the flesh of Christ, which in his day the faithful adored in the mystery, and which the Apostles adored in the Lord Jesus himself. And St. Augustin (in Psalm xcviii.) describes it as that flesh of which no one partakes previous to adoring it. This adoration continues during the canon.

The custom of elevating the host and chalice immediately after their consecration, was not introduced until after the heresy of Berengarius, Archdeacon of Angers, in France, who about the middle of the eleventh century began to raise doubts of the real presence: then the piety of the faithful introduced this custom as a testimony against his errors. The ancient usage was what is now called the second elevation, at the conclusion of the canon; and this agrees with the usages of the Armenians and Abyssinians, and in some measure with that of the Greeks. This custom of the elevation did not immediately extend to every church. It originated in France, and in some places the host alone was lifted, in others both the host and chalice, and as the custom extended, the diversity also became manifest, until gradually, after a couple of centuries, greater uniformity was established.

The custom of ringing the small bell was introduced soon after that of the first elevation. The English church appears, if it did not originate the practice, to have been one of the first to adopt it, as some of the earliest regulations upon the subject, are found in her records. We have an epistle of Yvo, Bishop of Chartres, before 1114, in which he expresses his gratitude to Maud, Queen of England, for fine bells which she had given to the church of our Lady at Chartres, and by the ringing of which at the elevation, he says, her memory will be usefully preserved. This custom has not yet found its way into the Papal chapel, nor into others in Rome, though it has for centuries pervaded the western portion of the church.

The Apostle St. Paul informs us (1 Cor. xi. 26), that one of the principal objects of this divine institution was to show forth the death of the Lord until his second coming; thus whilst the priests of the new law did, according to the precept of the Lord, what he himself performed at the divine institution, that is, placed his body and blood under the appearances of bread and wine; they did so for a commemoration of him. His death was shown forth by the exhibition, as it were of blood drawn from the body. Whilst the victim, thus mystically slain by the sword of the word, which caused that separation, lies upon the altar, now that the salutations of the choir unite

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with the gratulations of the blessed spirits that surround the throne of this monarch of our affections, the officiating clergyman expands his hands; he will not, except for the purpose of again taking it, disjoin those fingers that have touched the holy sacrament, until he shall have washed them after the communion. The deacon assists at the book whilst contemplating the sacred symbols; the celebrant in his prayer calls to mind the passion, resurrection, and ascension of the Saviour. If he makes the sign of the cross over the victim it is not to bless or to consecrate the source of blessing and the author of sanctity, but to exhibit his conviction, that He who died upon the cross, is present, and that every blessing which we can expect must be derived from His merits. He, therefore, by the five figures of the cross which he makes, being reminded of the five wounds inflicted upon the hands, the feet, and the side of his Saviour, presents, in the name of the people, to the Eternal Father, this great Mediator of the New Testament, who entering into the holy heavens, behind that veil which during ages separated them from this earth, did, on that great day when it was rent as he consummated his offering, in the midst of the aspirations of the hoary patriarchs, the venerable sages, the enraptured prophets, his afflicted mother, and astounded disciples, with the fragrance of his own merits, carry the smoking blood of expiation, into the midst of the adoring angels, to be poured as a rich libation before his Father's throne, so that being invested with an eternal priesthood, he might come forth to bless a world made penitent and redeemed.

In this prayer the figures of ancient days pass before his view. Through the long vista, the approving token of heaven is seen upon the sacrifice of the just Abel, who lies bathed in his blood, upon that of Melchisedec, the King of Salem and of justice, who stands with his singular offering by the side of Abraham, glorious in victory, more glorious for the fidelity which he exhibited upon that mountain, where he gave his son at the pile as a sacrifice. The celebrant beholds all these prophetic figures fulfilled in what lies before him. There, indeed, is the first born amongst many brethren, formerly slain for the iniquities of his people, by his own nation, but innocent and acceptable to heaven, his sacrifice is benignantly received. Like another Isaac, he bore to the mountain the wood upon which he was to be immolated; having manifested his obedience, he lives after the sacrifice, and is made the father of a mighty multitude, because he laid down his life for sin, he sees a long-lived seed, and the will of the Lord is prosperous in his hand. (Isaias iii.) Though he makes but one offering of his body and blood, by which he for ever perfects those that are sanctified, (Heb. x. 14,) yet he hath an everlasting priesthood, by which he continues the oblation under the appearances of bread and wine, thus being a high priest for ever, according to the order of Melchisedec. (Heb. viii. 24, and v. 10, 11.) Ours is therefore a holy sacrifice,—ours is indeed an unspotted victim.

Bowing down in a posture of humility, the priest earnestly supplicates that Jesus Christ, whom he styles the holy angel, would present this offering on high, especially on behalf of those who are to approach the holy communion. After this, with his hands joined before his face, whilst he stands erect, he prays in spirit for those deceased members whom he desires to commemorate. The names are publicly read in many churches at this time from the dyptics, whence in several very ancient missals the prayer of *Memento* is styled *super dypticha*. About the fourteenth century, this custom reading the names began to get into disuse: however, in some churches the piety of the faithful continues the recital, and prayers are publicly requested for the deceased, as also for the sick, either after the gospel or after the communion. After the private recital, or reflection upon the names, at this part of the Mass, a general petition is offered, upon the principle of that true Christian charity in which St. Augustin, in his book "on the care for the dead," gives so many instances. The following extract will, however, show the principle. "Supplications for the spirits of the deceased must not be omitted, the making of which the church undertakes for the departed in every Christian Catholic assembly: even without mentioning the names of all, she does it by a general commemoration, so that they who have left no parents, or children, or relations, or friends to do this kindness for them, should have it performed by this, their mother, when she supplicates for them together with the others.

To the dyptics succeeded the mortuary, books kept in several monasteries and churches, from which the names of their benefactors were read on the anniversaries of their death.

Slightly elevating his voice, the celebrant, after praying for the dead, strikes his breast, saying *Nobis quoque peccatoribus*, by which he also asks mercy for himself and other sinners. Venerable Bede, who wrote about the year 700, remarks upon this elevation of voice, which is made to exhibit that the

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prayer for the dead is concluded, and that the sacrifice also is about to be brought to its termination. The prayer entreats that he may be admitted to the fellowship of the saints, some of whose names are therefore mentioned, and the favour is asked through Christ our Lord.

If new fruits were to be blessed, they were formerly presented at this time; and at present the oil for the sacrament of extreme unction is blessed on Maundy Thursday at this part of the Mass. The prayer, therefore, refers occasionally to those blessings, but always to that better gift, the great legacy of his body and blood, bequeathed to us by the Saviour in that testament which he confirmed by his death. St. Thomas of Aquin explains the three crosses now made with the host over the chalice as emblematic not only of the three hours during which the Saviour was exposed upon the cross, but chiefly of the three great acts performed by him, immediately before the consummation of his sacrifice. First, his prayer for his enemies: "Father, forgive them, for they know not what they do." The second, his exclamation: "My God, my God, why hast thou forsaken me?" and the third, when he resigned himself to the last agony, with the expression: "Father, into thy hands I commend my spirit." The celebrant then raises the host and chalice together, for the second elevation, but not as high as was formerly used, before the time of Berengarius. And the conclusion of this ceremony, with its appropriate prayer, terminates the canon.

After the termination of this most solemn service, the preparation for communion followed. Frequently there were in the church public penitents, who had been tried, and found worthy of reconciliation; this was then the time for performing that rite in their regard: but previously thereto, the celebrant (who at solemn Masses during the first ages was the bishop) turned to the altar, and expressing his unworthiness and apprehensions, but still encouraged by the precept of the Saviour, presumed to address God as "our father," and recited the Lord's prayer. The deacon now stood behind him, until his ministry was necessary at the altar; and therefore when the prayer is near its termination, he goes up to his right hand side to assist in preparing the holy eucharist for communion. The subdeacon goes up to the same side to deliver the paten which he had hitherto in charge, and having given it to the deacon, the scarf is withdrawn from his shoulders, and he retires to his place.

In the Greek Church the whole congregation united in the Lord's prayer; but in the Latin Church the celebrant chaunts it, so that the people may hear; and they unite in it by taking up the last petition, "But deliver us from evil." During the first centuries, when the discipline of the secret was in force, this prayer was never recited in the hearing of strangers or of Catechumens. Hence, on other occasions, when they were present, the celebrant only notified that it was to be said, by repeating the first two words, *Pater noster*, and it was said secretly, without coming to the knowledge of the uninitiated; but now, none except the faithful being supposed present, it is openly said or chaunted.

Several eminent writers remark that its petition, "forgive us our trespasses, as we forgive those that trespass against us," is an excellent admonition to charity before communion.

In many places also, an old custom is retained by the deacon of holding up the paten to be seen by the people, after he receives it from the sub-deacon: the origin of this, was to notify to the congregation that the preparation for communion was about to commence. The celebrant now, animated with the sentiments of the prayer just recited, beseeches God to deliver those who assist, from past evils which are sins, from present evils which are temptations and disasters, and from future evils which are the eternal or temporal punishment for crimes. He also begs the intercession of the blessed Virgin and a few other saints to procure from God, peace in this life, and remission of sins for the other; through the merits of our Lord Jesus Christ.

During this prayer he holds the paten in his right hand, and makes the sign of the cross with it upon his person; after which he kisses it, because it is an instrument of peace, upon which He who is meek and peaceful, He who can give to us a peace than can never be procured from the world; a peace to which the criminal, the proud, and the ambitious are strangers, is about to be placed, The celebrant then puts the paten under the sacred host, and uncovering the chalice, he adores; after which rising, he breaks the host into three parts, whilst he concludes the prayer, in a loud voice, to afford the people an opportunity of giving their assent by the *Amen*. He then puts one particle of it into the chalice, saying, *Pax Domini sit semper vobiscum;* "may the peace of the Lord be always with you," to which the people answer; *Et cum spiritu tuo*. Covering the chalice previously to the repetition of his homage, he prays that this mixing and consecration of putting the two sacred things, the body and blood of Jesus Christ together, may be the means of bringing

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eternal life to those who are about to receive the communion.

St. Augustin informs us, in his Epist. 59 to Paulin, explaining some things in the Mass, that almost every church concludes the whole petition by the Lord's prayer. St. Cyril of Jerusalem, in his Catech. Myst. c. 5, states that it was recited after the commemoration of the dead, and indeed it is clearly carried back to the days of the Apostles. The fourth Council of Toledo reprehends the conduct of some Spanish priests, who recited it only in the Mass on Sunday, omitting it on other days of the week, and orders the correction of this abuse.

Considerable variety is found in the customs and forms of prayer in various churches. respecting the preparation for communion, We shall confine our attention to those only, which will tend to explain the present Roman rite. Gregory III., about the year 735, directed a peculiar form of confession to be recited after the Lord's prayer, and before the celebrant gave the blessing which, during several centuries, was bestowed at the termination of the canon. In the council of Saltzburg, in 1281, an order was made for reciting, about this part of the office, a number of psalms and prayers, to obtain from God peace for the church, at that time troubled and afflicted. John XXII., about forty years afterwards, followed up this order, by a direction given at Avignon on the xi. kal. of July, 1328, to have certain prayers, which he prescribed, said immediately after the Lord's prayer. Clement VI., between whom and John there only intervened Benedict XII., confirmed and renewed the direction of his predecessor. These prayers were omitted subsequently when peace was restored; but the *Libera* or form now said after the Lord's prayer, which contains an aspiration for peace, was continued. This form is much more ancient, though the exact date of its introduction cannot be pointed out; because the prayers preparatory to communion, were left for a long time, in a great measure to the devotion of the celebrant. It certainly existed in the eighth century. It was customary also, at this part of the office, to publish the fasts, the festivals, and other notices. Then the bishop, by his blessing and a form of absolution which, though different in several churches, yet had a great similarity in all, admitted the public penitents to reconciliation. He also gave his blessing to the people, concluding it with the words, *Pax Domini sit semper vobiscum;* which salutation is still retained; though the blessing is now deferred to the termination of the liturgy.

The rite of breaking the host, is coeval with the divine institution of Mass, and hence the sacrifice itself was known amongst the first faithful, by the name of the breaking of bread. (Luke xxiv. 35; Acts. ii. 46; Acts xx. 7; 1 Cor. x. 16.) From what has been previously stated, it is manifest that the body of Christ, which is impassible, is not hurt or broken by this division of the sacrament, and that He is whole and entire under the appearance of each particle, as St. Augustin says, (Lib. vi. de Trinit. c. 6,) of the human soul. "It is entire through the whole body, and it is entire in each part of that body." This right of breaking the host, has continued uninterruptedly in the church through every age, with this difference, that in some places and at some times, the number of particles were more numerous than at other places or epochs. At present amongst the Latins, it is broken into three parts, one of which is put into the chalice, as had always been practised. One of the other portions used, at some periods, to be kept for the communion of the sick; during several centuries however, it has been the custom, instead thereof, to consecrate a sufficient quantity to serve for the communion of the faithful, whether in health or sickness, and to keep what has been thus consecrated in a vessel called a pix or ciborium. The other portion served for the communion of the celebrant and of his attendants. Now, in general, the priest takes the whole for his own communion.

The mystic writers are copious in their reflections upon the ceremony of this breaking of the bread, as is their usual custom. In general, they inform us that it exhibits the death of the Saviour upon the cross, when bowing down his head, after he had declared that all was consummated, he gave up the ghost. As the apparent separation of the blood from the body exhibited the lamb as slain, so now would the union of the bread to the wine show to us his revivification after he had slept in death; and the sign of the cross made thrice over the mouth of the chalice with the particle, whilst the peace was besought for the people, expressed the three days that he lay entombed, having procured for us peace and reconciliation by his death. The union of the body and blood exhibits the mode in which Jesus Christ, reuniting his soul to that body which he made perfect, by the resumption of all that properly belonged thereto, now lives to die no more.

Another custom existed in Rome in the first ages, as is manifest from the constitutions of Pope Melchiades, in 312, and of

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Pope Siricius, towards the close of the same century, viz: that the Pope sent one of the particles which he had consecrated on Sunday, to each of the titular priests of the churches of the city, as a token of communion; and the persons who received these particles, put them into their chalices at Mass, before their communion. Nor was this custom peculiar to the Pope and his cardinal priests; it existed in many other places, as we have ample evidence. It was even usual for bishops thus to interchange the token of their communion and affection. Nor was this merely a symbol of such communion, it was, moreover, an evidence of the unity of their priesthood, and of the unity of their sacrifice.

Pope Sergius I., who ascended to the chair in 687, directed, that during the breaking of the host, the choir and people should sing the *Agnus Dei*. "Lamb of God who takest away the sins of the world, have mercy on us!" This was sung thrice and a custom came in, that each time they who repeated it struck their breasts. The priest then repeated it in those Masses where there was no chaunt, and afterwards even with the singers, so that the practice became nearly universal.

In Masses for the dead, the petition to the Lamb of God, was *to give rest to the deceased*. About the year 1100, when the peace of the church was in some places disturbed, the last petition was changed from "have mercy on us" to "give us peace." But in the church of St. John of Lateran, the ancient mode is still preserved, of saying thrice, "have mercy on us."

The celebrant now, bowing down before the altar, recites a prayer, beseeching from the Lord Jesus that peace which conduces so much to the charity of this life, the sanctification of souls, and the salvation of the elect. This prayer regards also the unity of the church, and the mutual affection of its members. It was not generally introduced before the tenth century. Whilst the celebrant recites it, the deacon kneels at his right side, and at the conclusion, rises and kisses the altar, whilst the celebrant kisses it at the same time, to receive that peace which he is about to give to others, and then embraces the deacon, saying, "Peace be to you," to which the answer is, "and with thy spirit." After which, paying his homage to the Holy Sacrament, the deacon descends and gives the salutation of peace to the sub-deacon, and if the custom so be, he gives it to the rest of the clergy, or to the first of each order, if many be present, and so it is communicated from these first persons to their brethren. Meantime the deacon and sub-deacon go to the altar, where the celebrant has begun to recite two prayers before the communion.

In Masses for the dead, this prayer and the salutation of peace are omitted, because at those Masses the attention is occupied with suffrages for the deceased. Besides, these were not considered public Masses, and it was only at such, this ceremony was performed.

This salutation was, in all nations, and at all times, considered a token of affection. But in the Christian religion men were made brethren in Jesus, and in the days of their early fervour, the converts were most anxious to let all men know by their mutual charity, that they were his disciples (John xiii. 35); though the believers were a multitude, they had but one heart and one soul. (Acts iv 32.) The custom in their assemblies, was to have not only one eucharistic banquet, but also many other symbols of their unity and several bonds of attachment. They had their agapae, a remnant of which may still be seen in many of our churches, where the custom prevails of distributing blessed bread through the congregation, even during the time of the sacrifice; they also saluted by an holy kiss. (Rom. xvi. 16; 1 Cor. xvi. 20; 2 Cor. xiii. 12; 1 Thess. v. 26; 1 Pet. v. 14.) In the Christian assemblies, as has been previously remarked, there was a separation of the sexes; and from the earliest times, not only the clergy but the laity gave this token of spiritual attachment. We have in the works of some of the most ancient and esteemed fathers, many allusions to the custom, and edifying exhortations to charity, founded upon the observance. About the twelfth century, in some churches, this separation of the males and females began to be neglected. The ancient salute was then discontinued, as inconvenient and unbecoming. And in England we find some of the earliest descriptions of a new mode, which was consequently introduced, of kissing a picture of the crucifixion or some other little instrument, which was sent about. Thus in the synodical constitutions of Walter Gray, Archbishop of York, in 1250 or 1252, we find amongst the furniture of the church, an *Osculatorium*. The same is found in the statutes of Canterbury, 1281. In a council of Oxford, in 1287, it is called *asser ad pacem*. And at the council of Merton, about 1300, the name was *tabular pacis*. Gradually this new fashion pervaded France, Germany, Italy, and Spain, and still subsists in some churches: though in general, the giving of the peace has altogether fallen into disuse amongst the laity, and in several places amongst the clergy, with the excep-

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tion of those immediately engaged about the altar.

The lesson taught by it, is as obvious as it is important. However, the necessities of society and our own convenience, may demand the distinctions of rank during our mortal career, and good order, the public peace, and general welfare require their preservation and protection, we should all be deeply impressed with our equality of origin, not only from a common parentage, but from the same material of clay, and by the hand of the same Creator. All temporal discrimination will therefore cease in that common dust to which we must so speedily return; we are, besides, called by a common Redeemer in the hope of one salvation, through the same merits and the same institution, to a common heavenly abode. We should then each bear with the failings of our brother, as we expect to have our own tolerated or overlooked, and we should try to exhibit ourselves animated with that charity for each other, which was manifested for us all, by Him, who, for our sakes, when we were His enemies, gave Himself as the ransom for our iniquities.

The two succeeding prayers have, within the last eight hundred years, been generally selected from many that the private devotion of the clergy formerly used as a preparation for communion; and to create uniformity, custom now having the force of law, has restricted the celebrant to those only. The moment for communion has at length arrived, and taking the sacred body in his hand, the priest says, "I will receive this heavenly bread, and I will call upon the name of the Lord!" But then recollecting his own unworthiness, he thrice strikes his breast, adding, "Lord, I am not worthy that thou shouldst enter under my roof; say but the word, and my soul shall be healed." Then making the sign of the cross with the Sacrament, he says, "May the body of our Lord Jesus Christ preserve my soul to eternal life. Amen:" after which he receives the Sacred Host. Then meditating for a moment, he prepares to take the chalice. The deacon uncovers it, and the celebrant carefully gathers from the corporal any particles which may be upon it, and conveys them to the chalice, saying, "What shall I give to the Lord for all that he hath given to me? I will take the chalice of salvation, and I will call upon the name of the Lord. Praising, will I call upon the name of the Lord, and I shall be saved from my enemies." (Psalm cxv.) Then making the sign of the cross with the chalice, he says: "May the blood of our Lord Jesus Christ preserve my soul to eternal life. Amen!" And holding the paten under the chalice and his chin, he reverentially receives the contents of the sacred vessel.

The expressions of the prayers are calculated to excite the most perfect devotion; the acknowledgment of unworthiness, blended with the expression of humble confidence, is taken from the gospel of St. Matthew, (viii. 8,) and with very little change in the expression of the centurion. We have reason to believe that it was, at a very early period, used upon this occasion, in the assemblies of the faithful. St. John Chrysostom, in his homily upon St. Thomas, the Apostle, exhorting the faithful to go with proper dispositions to communion, has the following passage: "Let us say to the Redeemer, Lord, I am not worthy that thou shouldest enter under my roof; yet as thou willest be received by us, relying upon thy indulgence we approach to thee." And in the early part of the third century, Origen in his Homily 5, upon some topics of the Gospel, thus expresses himself: "When thou takest that holy food, that uncorrupted banquet, when thou enjoyest the bread and cup of life, thou eatest and drinkest the body and blood of the Lord, then the Lord entereth under thy roof; and do thou, therefore, humbling thyself, imitate the centurion, and say: "Lord, I am not worthy that thou shouldst enter under my roof."

If communion is to be given, which, however, is not usual at high Masses, the general form of confession is said, and the celebrant prays for the pardon of the penitents, in the accustomed manner; then kneeling to adore the Holy Sacrament, which is now uncovered upon the altar, he rises, holds the vessel that contains it in his left hand, and taking a particle of the sacrament between the forefinger and the thumb of the right, he exhibits it to the people, saying: "Behold the Lamb of God; behold him who takes away the sins of the world; Lord, I am not worthy, &c." Then going to where the communicants are ranged, he puts the Holy Sacrament upon the tongue of each of them; the communicant holding a cloth under his chin, for the purpose of keeping upon it any particle of the sacrament that might fall at the administration. During this giving of the communion, the celebrant is sometimes assisted by the deacon, who holds the paten also under the sacrament for the like purpose. We are not certain whether, in the first days of Christianity, during its administration, the faithful were silent. It is probable they were. However, the custom of singing a psalm or hymn, during the whole period that intervened between giving the kiss of peace and

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the thanksgiving by the celebrant, after his own and the people's communion, is so general amongst the Greeks, the Armenians, the Abyssinians, and the Latins, and the evidences extend so far back, that it must be considered at least one of the earliest usages of the church. This psalm has since got the name of "the communion." After the participation and distribution of the sacrament, the officiating clergyman has wine poured into the chalice, which being used to purify it, he subsequently drinks, and also some wine and water which are poured upon those fingers with which he had touched the sacred host. After this, his attendants cleanse the chalice, wiping it with the purifier.

The principal difficulty which our separated brethren make respecting this part of the office, is the "withholding the cup from the laity," as they call, giving communion only the appearance of bread. They are under the impression that this is, on our part, a palpable violation of the divine command, and a gross infraction of the Saviour's institution. Perhaps they who read this exposition will not object to consider a few suggestions, which may lead them to suspect that their impression is erroneous.

There are several facts upon the subject, in regard to which we are agreed. During the first eleven centuries, it was almost the common practice of the church to give communion under both appearances. Next: it is still the general practice of the Greeks and other orientals, not only the sects separated from our church, but also of the portions in our communion who, however, lawfully follow a peculiar discipline. Again: decrees have been made by the Popes in the fifth century, directing that they who refused to receive under the appearance of wine, should be altogether denied communion; and we also admit, that by the divine institution, the person who consecrates the eucharist, that is, who celebrates Mass, is bound to receive under both kinds, as well as to consecrate them. Upon all these points we make the most full concession; but neither of these touches the question upon which we differ, viz.: whether it be contrary to the divine institution, and the nature of the sacrament, to give communion in one kind only. Let us now consider some other facts.

Nothing is more clear from church history, than that in private communion the most usual mode, at all times, was to receive only under the appearance of bread; sometimes, indeed, under the appearance of wine only; and it was always considered that such communions were good and sufficient, and by no means contrary to the divine institution. It generally occurred when hermits took the holy eucharist with them to the places of their retirement; when travellers took it with them to sea, or on long journeys into infidel countries; when, during the time of persecution, the faithful were permitted to take it home, that they might have the opportunity of communion, if they should be deprived of their clergy, or if they should themselves be in danger. To these and other similar instances, we might add the abstemious, who could not bear the taste or smell of wine, and who were frequently known and admitted amongst the communicants: all these received only under the appearance of bread. The sick generally received under this form only. Children received communion only under the form of wine. Yet in every age of the church, these were also considered to have fully partaken of the body and blood of Christ; for his is now a living body, from which the blood is inseparable. "Christ rising again from the dead, dieth now no more," (Rom vi. 9,) though by the words of consecration, the Lamb is upon the altar "as it were slain;" (Apoc. v. 6,) the body appears as if separated from the blood; still, when the body is made present, the blood accompanies it of necessity; and when the blood is made present, the body necessarily accompanies it also: so that under either kind, Christ whole and entire, a true sacrament, is received.

Nor did the Saviour give any precept for those who communicated, to receive under both kinds. The expression so frequently quoted to make it appear that he did, viz.: "Drink ye all of this, (Matthew xxvi. 27,) was only addressed to those to whom he gave the power of consecrating, because they alone were then with him; and St. Mark informs us that "they all drank of it," (xiv. 23,) so that the extension of the term used by the one evangelist is precisely defined by the other. It is indeed true that the Saviour did say, (John vi. 64,) "Except you eat the flesh of the Son of man and drink his blood, you shall not have life in you." But surely the Saviour did not contradict himself: and he also said, (John vi. 52,) "If any man eat of this bread, he shall live for ever." If he says, (v. 55,) "He that eateth my flesh and drinketh my blood hath everlasting life;" he also informs us, (v. 52,) "The bread which I will give is my flesh, for the life of the world." And though he assures us, (v. 57,) "He that eateth my flesh and drinketh my blood, abideth in me and I in him," yet he promises also, (v. 59,) "He that eateth this bread shall live for

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ever." The entire difficulty is removed, and the passages made consistent, and not contradictory, by the consideration, that under either appearance there is really flesh and blood. Hence St. Augustine, (lib. iii. de consens, evangel. c. 25,) informs us that the Saviour himself gave communion under one kind only, to the disciples at Emmaus, (Luke xxiv. 30, 35,) where it is distinctly stated that he vanished after giving them the bread.

The Acts (c. ii. 42) and St. Paul (1 Cor. xi. 27) state, that "whosoever shall eat this bread, or drink this chalice of the Lord unworthily, shall be guilty of the body and blood of the Lord." It is true an effort has been made within the last three centuries to change this and many other texts; but, from the beginning, the true reading has been given as it is here. The whole text, however, might be easily spared. There are several other topics of consideration, of which one or two shall be submitted.

The Manicheans believed that wine was created by the evil principle, and that it was criminal to use it for any purpose; several of them came to Rome at the commencement of the fifth age, and concealed themselves amongst the Catholics at communion. These persons never touched wine; it is therefore manifest, that unless it had been a matter of frequent occurrence for Catholics to receive the Holy Sacrament under the appearance of bread only, this concealment would have been impossible, for the novelty of declining the chalice could not escape detection. When this discovery was made, then, for the first time, Pope Leo the Great, about the year 450, ordered that the faithful should all receive under both kinds, so that the Manicheans might be detected; and Pope Gelasius, at the close of that century, directed for the same purpose, that no one who refused the chalice should be admitted to communion. The law continued in force until its object was attained, and became obsolete.

The eastern churches pour the consecrated wine upon the particles which had been consecrated, and give the communion with a long spoon. But so far are they from believing that a divine precept, or the nature of the sacrament, requires communion under both kinds, that they continually give the eucharist, under the appearance of bread alone, to great numbers who cannot go to the churches; such as shepherds, agriculturists, and others who reside at a distance, females whose family duties or other circumstances do not permit their leaving home, &c. And in the Greek church, Mass is said, during Lent, only on Saturdays and Sundays; communion in both kinds is given only at Mass; and on the other days very many of the clergy and laity receive the Holy Sacrament. which had been previously consecrated for that purpose, under the appearance of bread alone. Many other topics might easily be cited, amongst which are the canons and acts of several of the Protestant churches which direct communion to be given in one kind only in several cases.

From all these reasons the conclusion is manifest, that the mode of giving communion has always been considered, in the universal church, a matter of discipline, left by Christ to the regulation of the legislative tribunal, provided always that it secured that his body and blood should be given; that this discipline has been and is various; and that in the Latin Church, for very sufficient reasons, it has been long established, that to those who do not actually celebrate, whether they be clergy or laity, communion is given only under the appearance of bread. Would to God there were no other difference between us and our brethren respecting the nature of this most venerable sacrament!

The Council of Trent made no rule upon this discipline, leaving it altogether to be regulated by the wisdom and prudence of the Holy See. Pius IV. was prevailed upon by the entreaties of the Emperor Ferdinand, in 1564, to use the authority with which he was invested, and by the advice of the cardinals, permitted the bishops of Germany to use their own discretion as to administering under one or both kinds. But a very short experience proved that the inconveniences preponderated so greatly over the very questionable benefits that were expected to result, that with very general approbation Pius V. revoked the permission within two years after it had been conceded. Mr. Eustace, who appears to have had much more taste than erudition, was probably not aware of this, or of many similar facts, when he thoughtlessly penned his paragraphs respecting the Church of St. Peter, in chap. v. vol. ii. p. 178, of his classical tour; in which, amongst some just remarks, he introduces others of an entirely different description. The Greeks who are separated from the Catholic Church have, during centuries, been indefatigable in discovering every topic upon which they could charge the Latins with any aberration in doctrine or discipline; they even objected to their departure from the apostolic example, by shaving their beards. Yet, upon the subject of communion in one

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kind, they could find no ground for cavil, though they follow a different discipline themselves.

The confession of Pope Gregory III. mentioned above, was probably only a substitution for some previous form, as that now in use, and which is said before communion, has been adopted instead of the one compiled by this pontiff.

After the Latin Church had discontinued the discipline of giving public communion in both kinds, a custom was adopted in several places, of dipping the sacrament in unconsecrated wine; and though, for a time, occasionally tolerated, it was condemned and abrogated by many local councils, and has long since altogether disappeared in the West. One of the reasons generally alleged for the abrogation was, lest it might have the semblance of deceit, by leading the people to suppose that it was a substitute for the sacramental wine; or lest it might lead them to imagine that Christ was not present, whole and entire, body, blood, soul, and divinity, under the appearance of the bread alone. The true reason, however, for the original practice was founded in the fact, that the particles consecrated for communion being much thicker than they are at present, rendered this usage convenient for the more easily swallowing the sacrament; but a more appropriate remedy was found in reducing the bread to its present tenuity. Previously to altogether discontinuing the administration in both kinds, another custom existed in some churches nearly similar to that which at present prevails in the East, of dipping the particles for communion into the contents of the chalice after its consecration, and thus distributing them. It was extensively adopted in England, and strenuously defended by Ornulf, Bishop of Rochester: it was, however, prohibited by canon xv. of a council held in 1175, under Richard, Archbishop of Canterbury.

In several of the eastern churches that have not reduced the bulk of the particles, when communion is given only under the appearance of bread, the old custom is followed, of dipping the particle in unconsecrated wine, which is the more usual, or in water as in the well known case of old Serapion, mentioned by Eusebius the historian, (lib. vi. cap. 34.)

The celebrant, after the purification of the chalice, reads the passage of the Sacred Scripture sung at the communion, which is also called by that name. That and the post-communion, or thanksgiving for benefits received, are read and chaunted at the epistle side, to which place the book has been removed, as there is now no impediment there, and it is the more convenient situation. He salutes the people before the post-communion, to give them notice of the thanksgiving, and after it to take his leave. The deacon then, turning to the congregation, sings the *Ite missa est*, to tell them that, the office being terminated, they are at liberty to depart. But, as in penitential times, other offices followed; *Benedicamus Domino*, "Let us praise the Lord," is substituted therefor; the answer to each is *Deo gratias*, "Thanks be to God." In Masses for the dead he sings *Requiescant in pace*, "May they rest in peace;" which is answered by "Amen." But on the two last occasions he turns to the altar, and not to the people—as in the first case the office was to continue, and in the other the obsequies were to follow.

The officiating clergyman bowing down before the altar, prays that God would vouchsafe to make the sacrifice that has been offered, useful to him and those on whose behalf it was presented; and then turning to the congregation, and making the sign of the cross over them, he prays that the Almighty God, Father, Son, and Holy Ghost would vouchsafe to bless them. This blessing has been added at the request of the people, who also, through devotion for the gospel of St. John, requested that its commencement should be read after the blessing, which is therefore done at the gospel side, unless some other lesson is required by the occurrence of two solemnities upon the same day.

Frequently, if a prelate be present within his own jurisdiction, and be not the celebrant, he gives this last blessing. And when he celebrates, and is attended by an assistant priest in a cope, this latter does much of what would otherwise be performed by the deacon. His form of blessing differs from that of a priest. He commences by the versicle "*Sit nomen Domini benedictum.*" "May the name of the Lord be blessed." Answer, "*Ex hoc nunc et usque in sæculum:*" "From henceforth and for ever." Vrs. "*Adjutorium nostrum in nomine Domini,*" "Our help is in the name of the Lord." "*Qui fecit cœlum et terram,*" "Who made the heavens and the earth:" then he makes the sign of the cross thrice, once at the name of each person of the Holy Trinity, and towards the several directions in which the people surround the altar; whilst he entreats that they may be blessed by the Father, the Son, and the Holy Ghost.

If other bishops are present they bow, but all others kneel.

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EXPLANATION OF THE CEREMONIES OF HOLY WEEK

IN THE CHAPELS OF THE VATICAN, AND OF THOSE OF

EASTER SUNDAY, IN THE CHURCH OF ST. PETER, AT ROME.

To Henry Englefield, Esq.

My Dear Sir:—Three weeks have elapsed since the first part of this compilation was finished. These few sheets, though seemingly upon a different subject, are in fact but an extension of the former: so that without a perfect acquaintance with the explanations given in what preceded, the present will be, in many places, altogether unintelligible.

In giving publicity to the former explanation, I felt it my duty to express, though feebly, to the exalted and venerable personage, at whose bidding and under whose patronage I undertook this task, the sentiments which I entertained towards him. On the present occasion, I cannot consent to omit mentioning what is due to you. Independently of the zeal that you have otherwise manifested in contributing to make this city and the rites of our church interesting to those who are estranged from our faith; I am indebted to you for the greater portion that I have learned of peculiar customs, and special practices which had never come under my observation; and which I could not have sufficiently understood from mere description, without other aid. I have on this head also to make my acknowledgments to the respectable vice-rector of the English College, by whose kind information I was led to consult you. Monsignor Brocard, one of the masters of ceremony of the papal chapel, to whom you introduced me, has been good enough to prevent some mistakes which I should have otherwise made, and showed his readiness to give me every information; and Father Giannotti, who has charge of the sacristy as assistant to Monsignor Augustoni, upon our presenting the letter of Cardinal Weld, not only gave us a full opportunity of examining all the vestments and vessels, but expressed his anxiety to give such further aid as was in his power.

I have, as far as the time would allow, consulted the works of Benedict XIV., Cardinal Bona, Martine, Le Brun, Azevedo, Zaccharia, Georgi, and Cancellieri, as well as the Missals and other liturgical books, and have given no explanation, and made no assertion that I have not found sustained by more than one of these.

To the zealous and laborious co-operation of our amiable and talented friend Rev. Dr. Cullen, Rector of the Irish College, I owe more than I can express. He not only furnished me with the materials, and corrected some mistakes, but, what was most important, superintended the press, which is indeed a laborious task, when the compositors do not know the language in which they set up the type.

As an American prelate, I feel particularly gratified in the hope that this effort of one of their adopted brethren will prove as acceptable to those of my fellow-citizens who visit the holy city, as you believe it is likely to be to the large and respectable portion of British subjects, that from time to time sojourn within its precincts. This feeling is considerably enhanced by the reflection, that in the venerable successor of St. Peter, who at present so usefully presides over the church, and who, of course, has the principal share in those sacred duties which I have endeavoured to describe, I behold the former active, zealous, and enlightened prefect of the Propaganda; whose deep interest and laborious exertions in the concerns of the church of the United States, have been so beneficial. Through his hands were the proceedings of our provincial council submitted to his predecessor of cherished memory; through his ministry as prefect did our hierarchy receive the approbation of its labours from that see to which, because of its better presidency, it is necessary that every other church should have recourse; and to himself, when called from that station by the venerable and eminent Senate of the Christian world, to occupy the vacant chair, have we dedicated the publication of our first legislative acts. If the obligations by which an humble individual is bound, could with propriety be mentioned as additional motives, kind protection more than once extended, and the conferring of favours equally unexpected as unsought, might well be added. But these minor considerations should be all merged, in viewing the calm dignity and apostolic firmness with which

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his holiness has met the intrigues and efforts of that combination of infidels, which has in Europe profaned the name of liberty, and, under the pretext of extending its blessings, sought to inflict a deep wound upon religion, by stripping the Holy See of its temporal independence; thus renewing those scenes of affliction which blur the pages of former history. Yes, they show us times when religion wept over the ruin and scandals which ambition, and faction, and tyranny produced in this city. It was under such circumstances that the Pontiffs were first driven from their basilics to celebrate the sacred mysteries in private chapels: and it was then by reason of their poverty, caused by contentions and plunder, those basilics themselves frequently were so dilapidated as to be unfit for the celebration of the rites with becoming dignity, that by a sort of prescriptive usage, this custom, of leaving the large church for the private chapel, became fully established. The example of the presiding Pontiff, on the occasion of these ceremonials, is indeed edifying. Even strangers to our faith have expressed their admiration. No one can see his figure at the divine offices without being deeply impressed by his silence, his recollection, and the air of devotion that breathes around him. He truly shows by his manner, the life and energy of that faith which lives within. In him, indeed, the performance of the ceremony is but the genuine expression of a devoted soul; and whilst he thereby converses in spirit with his God, he leads others to similar conversation. He feels, like the patriarch upon the mountain, that the place is awful, because God is there.

That God may long preserve the venerable father of our church to edify his children by his example, whilst he guards the sacred deposit by his firmness and prudence, is a prayer in which I am convinced I shall be joined fervently by you.

I have the honour to remain,
My dear sir, with sincere regard,
Your most obedient, humble serv't,
† JOHN, *Bishop of Charleston.*

Irish College, Rome, March 26, 1833.

EXPLANATION OF THE CEREMONIES OF HOLY WEEK.

FROM the earliest period of Christianity, the observance of Lent preceded the festival of Easter, and the last week of this holy time has been one of peculiar solemnity, not only because of the special preparation that was to be made for the Easter communion, but also because of the important facts which are then commemorated; hence its ceremonial is one specially interesting.

The object of our church ceremony is not mere idle show; such exhibitions would, in religion, be worse than a waste of time, and might even become mischievous, for persons might be thereby led to imagine that the mere observance of the outward forms, was the service of that God who seeks true adorers to worship him in spirit and in truth; and who can, therefore, never be pleased by any homage which is not internal and spiritual: or the observance might degenerate into superstition; an expectation being cherished of deriving from mere external actions, effects neither belonging to their nature nor promised by God.

As an impression frequently exists in the minds of some well-disposed persons, that the multitude of ceremonies during this week is little consonant to the spirit of religion, and really is superstition; it may not be amiss to premise a few general observations before entering upon the special explanation of the several parts.

The legitimate objects of external rites in religion, as far as they are of human institution, are the instruction of the mind and the amelioration of the heart; in other words, the promotion of enlightened piety. Whatever does not tend to this is at least useless; probably mischievous. The Catholic Church is desirous of having all her observances tested by this principle; but, unfortunately, several who admit its correctness will frequently take no pains to ascertain how the facts they observe are brought under its influence; and they pass judgment without sufficient examination.

The mind is enlightened not only by conveying new information to the understanding; but also by recalling to the memory what was passing into oblivion, and by deeply imprinting upon it those traces that were becoming indistinct or faint. The heart is ameliorated when its affections are excited to the condemnation of vice, to sorrow for sin, to gratitude for mercies, to desire of God's glory, to resolutions of fidelity in His service, love of His law, benevolence towards our fellow-creatures, and exertions for their benefit; especially if the great mo-

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tive which impels to these be the love of our Redeemer.

The lessons calculated to produce so much benefit, might be conveyed not only by the voice of the preacher, but by the exhibition of the printed page: words whether spoken or written, are merely conventional signs for the purpose of exciting ideas, and the ear or the eye might be equally well impressed by other means, as by the sermon or the book. Music can affect the soul through the one, as painting can through the other. How often has he to whom the most eloquent orator addressed himself in vain, been vanquished by the charms of melodious sound? How often has the painter or the sculptor riveted the attention of him who has read description after description with complete indifference? To how many generations has Laocoon proclaimed his anguish? Can you count the multitudes that have hung round the Transfiguration? Who will describe the sensations produced by the Miserere? He who would endeavour by an abstract semblance of philosophy, to argue against what is thus testified by nature through the voices of myriads, may well be expected soon to bid you hold fire in your hand, and think of Caucasus. Yet have men written polished sentences, they have constructed rounded periods, and called them by the name of religious philosophy, and philosophical religion, and rational devotion, merely to deprive religion herself of those natural aids which, under the auspices of heaven, and frequently by the express command of God himself, were used for the promotion of his service amongst his people. Either of these taken separately is useful and powerful, but when the combination of all is applied to bring the mind to any particular frame, the effect is almost irresistible. When music, scenery, action, and poetry unite to call up the remembrance of ancient worthies, of cities buried under the ruins of ages, of transactions nearly obliterated by the hand of time, transactions in which the observers now have no actual interest; how is the imagination seized upon, the memory excited, the affections interested and the very heart itself engaged? Yet this is only ceremony.

And shall we be told that it is superstitious to use the most natural and efficacious mode of so exhibiting to a redeemed race, the tragic occurrences of the very catastrophe by which that redemption was effected as to produce deep impressions for their religious improvement? This is the great object of the church in the ceremonial of the Holy Week. This is the great end she seeks to attain by the observances which she has established. And, therefore, she must upon the plainest maxims be acquitted of the charge of superstition; her judgment or her taste, or both may be arraigned if you please, but her religion is vindicated. If the multiplication of religious rites be superstition, then is the God of Sinai its most powerful abettor.

Without entering farther into the details of the Lenten observance, it will suffice to remark, that on the fifth Sunday in Lent, which is exactly a fortnight before Easter, the commemoration of the passion or sufferings of the Saviour commences. On the eve of that day the ornaments are generally removed from the churches or covered; and the crosses veiled with deep violet in token of mourning and penance, so that during this fortnight, the appearance of the churches indicates to the faithful the sentiments which befit the solemnity. Formerly the Catechumens who had been found worthy, were baptized on the eve of Easter; and the public penitents who had been in fasting, in prayer, and in other religious exercises, seeking reconciliation through Christ, expected also to be admitted to the sacraments. Now that the great week was about to commence, not only did the body of the faithful take a deeper interest in the facts which were brought to their view, but also these particular classes had their special duties. The first day of this week, therefore, was called by a variety of names, by reason of the several observances. The approved Catechumens were selected and declared "competent," hence it was called "*Dominica competentium.*" They had abstained during Lent from the use of the bath, but now preparing for the unction which followed baptism, they washed their heads, on which account it obtained the name of "*Capita lavantium.*" As the council of Agde directed that the symbol should be then explained to the "competents," the Gothic missal styles the Mass of this day "*Missa in symboli traditione.*" The Popes also, in commemoration of Magdalen's piety towards Jesus, (John xii. 3,) were accustomed on the previous day to give larger alms than usual, that they might show towards the poor, who are the members of Christ, that charity which she exhibited to their head. The day received also a title from this custom. But the names of the Sunday of palms, the Sunday of olives, the Sunday of flowers, &c., were the more general appellation. Macri, as quoted by Jacob Goar, gives a curious and interesting account of the customs of the Maronites on this day, respecting the olive tree which they bless

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and carry in procession. Gretser also describes the ceremonial at Jerusalem. The transaction which is commemorated is related by St. Matthew, (c. xxi.)

This occurred at the close of our Saviour's public ministry, when, having made every preparation for the accomplishment of all that had been written concerning him by the prophets, he went up to Jerusalem for the consummation of his sacrifice.

We must, previously to considering the ceremony performed at the Papal Chapel, become acquainted with the stations, offices, and duties of the attendants.

The Pope is not only a bishop, but is visible head of the church, and is, therefore, attended by a more numerous and dignified body of clergy than waits upon any other prelate. He is also a temporal sovereign, and has, of course, the proper officers of state attached to his court. They also are to be found in his chapel. This is not a public church in which he officiates as the celebrant; it is his private place of worship, where the offices are performed by his clergy, but in which the proper respect is always paid to his Holiness, both as the pontiff and the sovereign; and he occasionally performs some few of the ecclesiastical functions.

His throne is placed at the Gospel side of the altar having on each hand a small stool for his two attendants. On Palm Sunday, he wears a large cope of a bright purple colour, approaching to red; over the clasp which fastens it on his breast, is a silver plate, called a *formal*, a considerable portion of which is finely gilt; on this, in beautiful relief, is the figure of the venerable ancient of days, (Daniel vii. 9,) clouds are embossed wreathing about the figures of attending cherubim, (Exod. xxv. 18,) and circles of precious stones surround the whole: one larger and more beautiful than the rest occupies the centre. (Exod. xxviii. 29.) On his head is a plain mitre of silver cloth. This is his ordinary church vesture, at present, on days of penance and mourning.

Down to the time of Pius VI., from that of Clement VIII., about the year 1600, the Popes had a splendid formal of pure gold, with a rich olive branch of fine enameled green of the same metal, surrounding three large knobs of valuable oriental pearls. But this was not the only property of which the church was plundered during the pontificate of that heroic and venerable successor of St. Peter.

The Cardinals are the high senate of the church, and the privy council of the sovereign. They are selected by his holiness from amongst those ecclesiastics most distinguished for their learning, piety, and other estimable qualifications. In ordinary dress, in essential authority, and in general rank, all the members of the sacred college are upon a perfect equality. Though not always known by the same appellation, nor always enjoying the same privileges, their body is one of the most ancient in the church, and they are the representatives of its hierarchy.

Six of them are cardinal-bishops; they are ordinaries of what are called the suburban churches, or those within the immediate district of the city of Rome.

The Dean of the sacred college, who is the senior, is bishop of Ostia and Valetri; the next is bishop of Porto, St. Rufina and Civita Vecchia, and sub-dean of the sacred college; the other four take rank according to the date of their attaining a suburban diocess; these are the sees of Sabina, Frascati, Albano, and Palestrina. They sit on a bench which extends from the right of the platform on which the throne is erected, towards the front entrance to the chapel, the senior being nearer the throne. Next to them the senior cardinal-priest is seated upon the same bench, and his brethren who represent the priests, sit successively in the order of their appointment to the sacred college. It is required that each should be in the holy order that he represents; but it generally happens, that several of the cardinal-priests are in fact bishops; and some of the cardinal-deacons are also in the order of bishop or priest; but it is also in the power of the pontiff to dispense, for good reason, from time to time, with the execution of the law, which makes it obligatory upon a cardinal to receive the holy order befitting his rank, within twelve months from the date of his appointment, under pain of rendering his nomination void. It sometimes has happened that such a dispensation was granted, especially to enable a man well qualified for the situation, though not in holy orders, to hold the office of secretary of state.

The two senior cardinal-deacons assist on the right and left of the papal throne; the others, according to their seniority, occupy the bench opposite that of the bishops and priests, the senior being the nearer to the throne. But when the Pope solemnly officiates, the three junior cardinals of the order of priests sit at the side of the deacons on that part of the bench which is more remote from the throne, yet so as that the junior cardinal-priest is nearest to the junior cardinal-deacon. When there is a full attendance of the sacred college, the

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number of priests on that side will frequently be more; and if only one deacon should attend beside those who assist the Pope, he will sit at the same side with the bishops and priests.

The whole number of the sacred college is seventy, viz.: six bishops, fifty priests, and fourteen deacons. This number, however, is seldom full. At present the bishops are five, the priests thirty-seven, the deacons ten, making in all fifty-two, and leaving eighteen vacancies. Of the present college, Pius VII. created twenty, Leo XII. eighteen, Pius VIII. three, and the present Pope, Gregory XVI. eleven. The Pope has also reserved three *in petto;* that is, he has declared to the consistory or assembly of the sacred college, that he has made the appointments, but he has, for sufficient reasons, not as yet published the names of those promoted. When he shall have done so, they will take rank from the period of his declaration and reservation of the names, and not from that of their publication; so that they will outrank all of the same order, that shall have been created in the interval. But if the Pope should die without publishing their names to the consistory, the nomination is without effect. The present number of cardinals in the city is thirty-two. Upon the vacancy of the Holy See, the sacred college have the government of the church, and are invested with authority to administer the states; they are the electors of the new Pope, whom they select from amongst their own body. The cardinal-priests are the titulars or rectors of the principal parish churches or stations in Rome; and the cardinal-deacons have also their titles from some of the ancient churches of the city; it is also the privilege of the first cardinal-deacon, to announce to the people the election of the Pope, and to crown him. The first cardinal-priest has, except when the Pope solemnly celebrates, a seat on the platform of the throne, in front of one of the assistant cardinal-deacons, and it his duty to offer the incense, &c.; on the more solemn occasions this duty devolves upon the first cardinal-bishop.

Each cardinal has chaplains, one of whom always attends his eminence in the chapel, or at public functions. On ordinary occasions this chaplain wears a purple sutan and cincture, and sometimes a cloak; he sits on the step before his eminence, whose beretta or square cap he holds; he also either displays, gathers up, or carries the cardinal's train, as may be necessary, and on those occasions when his eminence wears the mitre, his chaplain wears a surplice and a scarf like a stole, with which he sustains this ornament, when not actually worn by the cardinal.

The usual dress of the cardinals in the chapel is a red sutan or cassock, with a cincture of the same colour, having tassels of gold, red stockings, a rochet over which they usually wear a *cappa* or ample cloak, with a large tippet of white ermine, which hangs over the shoulders and chest: they take off the ermine in summer: on their heads they wear small red skull-caps, and sometimes square red caps. In times of penance and mourning they change the red robes to violet colour, and on two or three particular days, to rose colour. On solemn occasions, when the Pope officiates, or when there is a grand procession, they all wear red shoes, and mitres of white damask silk, the cardinal-bishops wear copes, the cardinal-priests, chasubles, and the cardinal-deacons, dalmatics of the colour proper for the solemnity, but on days of penance, the deacons wear chasubles. Under those vestments they have the cassock, cincture, rochet, and amict. During the vacancy of the see, when giving their votes, they wear large purple mantles called croceia, and on some less solemn occasions, they wear over the rochet a manteletta or short cloak, through which they put their arms; and over this a mozzetta or tippet, with a small hood, on which occasions the cardinal-bishops exhibit over this last the chain of the pectoral cross, but the cross itself is not seen. This may be considered their dress of state, when not engaged in sacred functions: but when in full jurisdiction, that is, in the churches of their titles, or during the vacancy of the Holy See, the manteletta is always laid aside. Cardinals promoted from any of the religious orders, preserve in their robes the peculiarity of colour belonging to that association, and never use silk.

Next in rank to the cardinals, and in the order in which they are here printed, are the patriarchs of Constantinople, Antioch, Alexandria, and Jerusalem. Their court dress is the same as that of a cardinal in sutan, cincture, rochet, manteletta, mozzetta and cross, except that the colour is purple. Next to them rank, according to the date of their being inscribed as assistants, the archbishops assistant at the throne, and then in like gradation the bishops assistant at the throne. In the papal chapel they all sit on the bench to the left of the throne, and over their sutans and rochets all these wear a purple serge cappa gathered up and the fold brought under the left arm, with a tippet of white ermine: the patriarchs wear exactly a similar dress, and when the Pope solemnly officiates, they all wear amicts over their

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rochets, and copes of the proper colour, with mitres of plain linen. The first of the assistants holds the book, and the second the lighted candle, for the holy father when he reads or sings. When the solemn service is performed by the Pope at his throne, these assistants sit or stand on the steps at each side.

Amongst these are generally two of the domestic prelates of his holiness, viz.: his almoner, who is generally an archbishop *in partibus infidelium*, that is, of some see in which there are few, if any Christians, and which being under the dominion of the infidels, renders it perfectly easy to have him permitted to reside in Rome, the law requiring the residence of a bishop at his see, being in this instance dispensed with; the other is the sacristan of his holiness, who is since the time of Pope Nicholas IV., about 1290, an Augustinian friar, generally bishop of Porphyry *in partibus*. His duty is to keep all the ornaments and church furniture, and to see everything properly prepared: a priest of his order is the assistant. The sacristan wears a black cappa with black fur. And here it is remarked once for all, that when a member of one of the religious orders is promoted to a prelacy, though he conforms to the general fashion of the dress appropriate to the rank to which he is promoted, he keeps the colour of the religious community from which he was taken. The sacristan gives the holy water to the Pope, except when it is administered by a cardinal, or vicar of the cardinal-archpriest in his own basilic; he administers the last sacraments to the holy father in his illness, celebrates Mass, and says the prayers for the cardinals in conclave; and is rector of the parish of the Papal family. The patriarchs of Venice, of the Indies, of Lisbon, of Antioch of the Greek Melchites, of Antioch of the Maronites, of Antioch of the Syrians, of Babylon of the Chaldaic rite, and of Cilicia of the Armenian, can also have places in this rank; they have precedence according to seniority of appointment.

It would be natural for a stranger to imagine that this place of assistant-bishop was merely an ecclesiastical rank. Such, however, is not the fact; for those bishops have no additional jurisdiction therefrom, nor does this distinction give them any precedence outside the papal chapel. Besides, from the nature of one of their privileges, viz.: that they have such nobility as if they were sons of counts, *una nobilla comme se da genitori conti tratto avessero la lore origine*, it would appear that like cardinals, they were attached to this chapel, not merely in their ecclesiastical character, but also as a sort of minor nobility in the court of the sovereign. The first four patriarchs, however, have in virtue of their patriarchal rank, an honorary precedence above all other bishops and cardinals.

The next prelates, whatever their ecclesiastical order may be, take rank only from their civil offices.

The governor of Rome wears the ordinary dress of an assistant-bishop; his seat is opposite the throne in the papal chapel, to the right of all those who sit on the back bench, but the prelate who celebrates Mass and his attendants, are of course farther in towards the altar; and near the door in the extreme angle, one of the noble guard stands as sentinel with a drawn sword, at the entrance of the sanctuary.

The prince-assistant at the throne stands upon the platform near the first cardinal-deacon, in his court dress. This privilege belongs at present to their excellencies, Aspreno prince Colonna, Domenico prince Orsini, and the Paluzzo prince Altieri, who is senator of Rome. They take the place by alternation or arrangement. The senator's court dress is red, with a yellow cloak, the ordinary court dress in black.

Next to the governor, and similarly habited, is the auditor of the apostolic chamber. His charge is principally that of the administration of justice in law and equity.

Similarly habited is the treasurer of the chamber, who sits next to the auditor: his office is not only that to which all accounts are rendered, and by whose order all payments are made, but he is also a judge of extensive jurisdiction, and president of the apostolic exchequer.

On his left is the prefect of the apostolic palace, who is major-domo of his holiness, and has considerable judicial and administrative power, not only in the pontifical family, but also over other persons and things.

When the bishops dress in their sacred vesture, these prelates occupy a different seat; they at such times sit on the second bench, or that of the prothonotaries-apostolic.

The next is a rank merely ecclesiastical; it consists of the archbishops and bishops who claim no civil rank, nor special privilege; they are called non-assistants. In the papal chapel they sit on the back bench opposite the throne next to the civil prelates above described. The eastern archbishops take the right. The Armenian prelate wears his beard, and over a purple sutan he has, on ordinary occasions, a purple cope, lined with green, trimmed with red and white: on solemn occasions his vesture is an alb, over which is an exceedingly rich cope, and

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other appropriate ornaments; his mitre is embroidered with gold. The dress of the Greek prelates for ordinary chapels differs very little from that of the Armenians, but on solemn occasions their rich vesture has a nearer resemblance to the ancient dalmatic of a deacon, but that the sleeves are longer, and they wear wristbands corresponding to the vestments, and crowns instead of mitres. To their left, is the place for the Latin bishops, who wear similar dresses to those of the assistant-bishops, and take places according to their date of consecration, except that archbishops always have the precedence.

There is an intermediate bench in the Sistine chapel, behind that of the cardinal-deacons, which extends from the pulpit towards the door; upon this bench the prothonotaries-apostolic are seated, in the prelatic dress. In the chapel they rank next to the bishops. They carry back the institution of their college to St. Clement, the companion of the Apostles and fourth Pope, who governed the church from the year 91 to 100. This pontiff appointed seven notaries, one for each region of the city, to collect and register the acts of the martyrs; this notarial college was reorganized by St. Antherus, the nineteenth Pope, in the year 253, and again by St. Julius, the thirty-fifth Pope, about the year 540. The duties of this office of record were extended, and the president of the body was looked upon as one of the most important officers of the Holy See, and in the seventh and eighth centuries he, as one of the commissioners of the see during vacancy, subscribed documents together with the first cardinal-priest, and first cardinal-deacon, then called archpriest and archdeacon of the Roman Church. Venerable Bede gives an instance of it in 640, immediately after the election of John IV. (Hist. eccles. gen. Anglor. I. ii. c. 19.) Pope Martin I. about the year 650, mentions as a known regulation, that during the absence of the Pope, the administration of the see was in the archdeacon, and priest, and *primicerius*, which was the title of the chief notary. Pope Sixtus V., about the year 1590, made some regulations for this college of prelates; amongst others he fixed the ordinary number or *partecipanti* at twelve, besides a number of supernumeraries, and assigned their places in the chapel. Benedict XIV., about eighty years since, made other regulations for this college: amongst the privileges of the *partecipanti*, is that of conferring the degree of doctor, the appointment of notaries, &c. The dean, as their president is now styled, by reason of their original occupation of collecting the acts of the martyrs, has a place in the proceedings for the canonization of saints, and the members are the officers employed for drawing letters apostolic regarding patriarchal, metropolitical, and cathedral churches.

The Pope's chamberlain, *maestro di camera*, who is generally of one of the most illustrious Italian families, if he be not in the order of bishops, is entitled to a place upon this bench.

The Pope's auditor is always a lawyer of the highest standing, as he has to advise his holiness respecting appeals, and a variety of legal difficulties which are brought up. He generally hears those applications standing by a chair on which the Pope is supposed to be present, as the King of England is supposed to preside in his court of king's bench; his place is also on this prelatic bench.

The Archimandrite of Messina ranks next, if he has no higher place by another title; then the *commendatore*, or president of the great hospital of Santo Spirito.

The abbots-general of the several monastic orders, nine in number, who are entitled to wear mitres, have their seat to the left of the non-assistant bishops; viz., Benedictines of Mount Cassino, Basilians, canons Regular of St. John of Lateran, monks of Camaldoli, Vallumbrosians, Cistercians, Olivetans, Sylvestrinians, and Jeromites. Next to them on the left, are the generals and vicars-generals of the mendicant orders: viz., Dominicans, minor observantins, minor conventuals, Augustinians, Carmelites, Servites, Minims of St. Francis of Paula, Redemptioners, Capuchins, Trinitarians, and bare footed Carmelites.

The conservators of Rome, who represent its civic council, and the prior of the Caporioni or magistrates of its wards or divisions, stand on the steps of the throne, on the right hand side, below the assistant-prince.

The master of the sacred hospital or dwelling, *maestro del sagro ospizio*, formerly held the authority of the major-domo and chamberlain, but his place is now merely honorary. It was hereditary in the noble family of Conti. It is now vacant: he wears a court dress, and stays near the entrance of the choir as guardian of the chapel.

The auditors of the Rota sit on the steps of the throne, and on those of the altar. They succeed to the ecclesiastical functions of the apostolic sub-deacons, suppressed for their irregularities by Alexander VII., on the 25th October, 1656. Those sub-deacons were established to the number of seven,

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by Pope Fabian, about the year 240, and were subsequently increased to twenty-one, which was their number in 1057. They became afterwards more numerous, and held considerable authority. But the auditors of Rota, which is a judicial tribunal, however ancient their origin, do not appear to have been brought into much notice before the time of Pope John XXIII. who in apostolic letters dated at Bologna viii. kal. Junii, 1450, styles the auditors of causes of the sacred palace, which was their title, *apostolic chaplains*. Sixtus IV., about seventy years afterwards, reduced their number to twelve, of whom one was to be a Frenchman, one a German, two Spaniards, one a Tuscan, three Romans, and the other four, one from each legation of the Papal territory. This court has cognizance of a large share of ecclesiastical, as well as of civil causes, and its decisions are always accompanied by a statement of the grounds on which they are made, and are highly respected. On ordinary occasions, they wear the prelatic dress; but on solemn occasions they wear a surplice over the rochet. The dean of this college holds the Pope's mitre when his holiness performs solemn functions; the college furnishes the officiating sub-deacon on such occasions; two others bear his train; one of them accompanies the nobleman who pours water on the hands of his holiness, one of them incenses the cardinal-deacon, and then incenses the non-assistant bishops, one of them also gives the peace occasionally, and one carries the cross. Several of them also have seats in various congregations.

The master of the sacred palace is a Dominican friar, his dress is that of his order, white, with a black overcloak. Pope Honorius III., who governed the church from 1216 to 1227, gave the office to that order. This officer is the Pope's theologian, and ranks amongst the auditors of the Rota, after whom he sits. He has the inspection of the discourses for the papal chapel, also the power of licensing publications, none of which can appear in Rome without his permission. He enjoys many other privileges.

The clerks of the chamber sit near the auditors of the Rota, their number is twelve; several of them preside over various tribunals, such as regard provisions, currency, roads, streets, waters. And the whole body forms a court of appeal from the decisions not only of these tribunals, but also from the decisions of the treasurer's court. The appeals are heard by the direction either of their own president, or that of a court of revision, called voters of the signature. Two of these prelates accompany the lay-gentlemen, who pour water on the hands of the Pope after the offertory, when he officiates solemnly. One of them has charge of a cloth laid upon the vestments, and at Christmas, one of them bears the swords which the Pope blesses. When the Pope dies, they accompany the Cardinal Camerlengo, clothed in black, wearing rochets, for the purpose of recognising the body; they then receive from the pro-datary and the secretaries, the seals which they bring in presence of the congregation of cardinals, and there break.

The voters of the signature had their number fixed at twelve, by Alexander VII., and were formed into a college to replace the apostolic acolyths dissolved and suppressed by that Pontiff, at the same time that he suppressed the apostolic sub-deacons. This body is one of judicial revision, which has the power of sending to the court of appeals cases from those tribunals, the correctness of whose decision is suspected. Formerly they were chosen from a body called the apostolic *referendaries*. As supplying the place of acolyths in the ecclesiastical functions, they furnish persons to carry the incense, the lights, and the cruets; one of them also has charge of the Pontiff's gloves and ring. Their dress and place are similar to those of clerks of the chamber.

The regent of the chancery who examines, compares, and authenticates bulls, and administers the oaths of ecclesiastical dignitaries: the abbreviators of the Park, who have also places in the chancery; and the auditor of contradictions, have their places amongst the prelates.

The masters of ceremony wear purple cassocks, and surplices, and see the proper order preserved: on festivals their cassocks are red.

The whole pontifical family, ecclesiastical and lay, have places in this chapel, viz.: the private chamberlains, who are clergymen to wait in the antichambers, and regulate the entry of those who seek audience. They wear a purple cassock, over which is a mantellone or long purple cloak with hanging sleeves from the shoulders: but in the chapel, the mantellone is laid aside, and in its place they wear a red serge cappa or cloak with a hood of white ermine in winter, instead of which, in summer, this hood which always hangs round the breast, shoulders, and back, is of red silk: with them, properly habited, are the Pope's chaplains, the secretary of briefs to princes, the secretary of Latin letters, the under secretary of state, the sub-datary, the master of the

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wardrobe, the cupbearer, the secretary of messages, and sometimes the physician. Besides the regular officers, there are a considerable number of supernumeraries and honorary chamberlains, honorary chaplains, &c. Such of this family as have no other places, sit in the chapel, on benches in front of the governor, and the prelates who are to his left. In the church, when the Pope celebrates solemnly, they sit on the side steps of the altar.

There are also private chamberlains of the sword and cloak, *di spada, e cappa*, who generally wear the black court dress, called *Spanish;* their number is unlimited, they are always laymen, four of whom are the ordinary or *partecipanti*, viz.: the master of the sacred dwelling, the grand herald or forerunner, *Foriere*, the grand esquire, and the superintendent of the post-office. The supernumerary and honorary, as well as the ordinary, when not otherwise engaged, do the service of the anti-chambers, conjointly with the ecclesiastical chamberlains; they accompany his holiness on journeys and in processions, and frequently attend in the chapel. They are of the nobility.

The consistorial advocates are a very respectable body of lawyers, who furnish always gratuitous service for the poor, the imprisoned, and especially those under capital conviction. The promoter of the faith, the fiscal advocate, the advocate of the famous Roman people at the capitol, and a number of other respectable officers, are members of this body. They always furnish the orator for public consistories, and in private consistories make the demand of the *Pallium* for newly appropriated patriarchs and archbishops, and have several other dignified charges.—Over a black dress they wear a cloak not unlike a cappa, either black or purple, with a crimson hood. Their place is at the lower step at the right side of the throne.

On the back bench opposite the throne, next to the vicars-general of the mendicant orders, are the procurators-general: the next place is occupied by a capuchin friar, who is the preacher for the Papal family. Before the time of Benedict XIV., this preaching was the duty of a Dominican: the companion of the master of the sacred palace. A Servite, who is the confessor of the family, sits next to him, and is the last ecclesiastical officer on that bench. Below him are two proctors of the college: they belong to a body of eminent lawyers of excellent character, who plead the most important causes, especially those of the poor, in presence of his holiness.

A number of other officers and servants assist on the occasions of greatest solemnity.

The guard of nobles has existed since 1801, when a number of spirited young men of some of the best families offered their services to Pope Pius VII., to form a guard for his person: the offer was accepted; they were formed into two companies, and a section attends at the chapel, and forms at the entrance of the choir.

In the outer division of the Sistine chapel, there is, on the left hand side as you enter, an elevated platform, with seats for such members of foreign royal houses as might attend; the benches for ambassadors are in front of this, but much lower; and the front benches at the opposite side, which is appropriated to ladies, are for the families of the *corps diplomatique*. But no lady is allowed to enter this without a veil; neither are gentlemen permitted to attend the chapel, unless they be in dress and without canes or switches.

In the sacred functions of the altar, when the Pope assists without officiating, the three patriarchal basilics furnish their officers, who are selected by his holiness from a number of names presented by the chapter of each, in which selection he always prefers a nobleman, if his other qualifications be equal to those of his associates.

The assistant-priest is furnished by St. John of Lateran.

The deacon, by the church of St. Peter.

The sub-deacon, by St. Mary Majors.

On solemn occasions, the priests penitentiaries of that basilic at which the chapel is held, attend in chasubles, next the mitred abbots. These are priests who speak the several languages, for the convenience of foreign penitents.

PALM SUNDAY.

About nine o'clock on this morning, the Pope comes into the chapel, all the cardinals and other attendants being in their places. The custom for several centuries has been, for the cardinals to pay their homage to his holiness, as soon as he takes his seat upon the throne. This is performed by each going in succession, according to their orders, and the precedence of each in that order, to the foot of the throne, and bowing; then ascending to kiss the border of the cope which covers the Pope's right hand; again bowing, descending by the right side, and going to his place.

When this ceremony is concluded to-day, the cardinals, having been disrobed of their cappas or cloaks, are vested in the costume befitting the order of each, whether it be a cope or chasuble open or folded, the colour

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is violet, for it is a time of penance. The cardinals of religious orders not wearing rochets, put on surplices, before they take the amict and outer vestment.

The object of the ceremony is to enter this morning upon the recollection of the important and interesting fact of the Saviour's triumphal entry into Jerusalem, when he was received by the multitude with palms, the emblem of victory, and with olives, which have been the type of peace, since the day that the returning dove brought this token of heavenly reconciliation to those prisoners who in the ark waited impatiently for the subsiding of the flood.

A quantity of branches of these or of other evergreens are placed at the Gospel side of the altar, under charge of two of the sacristan's attendants: seven pieces are placed upon the altar, three of which are smaller than the others.

The church wishes, as has been frequently explained, to sanctify everything which her children use, especially for the purposes of religion, by prayer and the word of God. The prayers read on this occasion, and all other days during the week, may be found in Latin and Italian, in a work called *Uffizio della settimana santa, con versione Italiana di Monsig. Martini*, which is for sale at most of the booksellers.

The choir commences with the Hosanna as it was proclaimed by the children. In the next prayer which succeeds, the grace of God is besought to bring us to the glory of Christ's resurrection. The sub-deacon then chaunts from the book of Exodus, (chapters xv. and xvi.) the history of the murmurs of the children of Israel, after they had left the palm-trees and fountains of Elim, their regrets for having quitted the flesh-pots of Egypt, where they were in slavery, and the promise which the Lord gave them of manna; thus marking how, in the midst of these mortifications that we must meet, after occasional refreshments in our pilgrimage through life, we are too often disheartened by transient difficulties, and prefer returning to indulge our passions under the slavery of Satan: but God himself encourages us, not only by that better bread which came from heaven, but by the prospect of seeing the glory of the Lord in his holy mountain, after we shall have triumphed over sin.

The gradual, however, which follows this lesson, reverts to the conspiracy against Jesus, and his prayer in the garden of olives. The deacon, with the usual ceremonies, which have been explained in the exposition of the Mass, (page 328,) sings the Gospel, (Matthew xxi. from verse 1 to 11.)

After the Gospel, the second master of ceremonies gives the smaller branches to the sacristan, the deacon and sub-deacon, who presenting themselves at the foot of the throne, and bending their knees upon one of the lower steps, the sacristan being in the centre, remain holding the branches whilst the Pontiff reads the prayer of blessing.

In this, the church entreats of God to increase the light of faith for the greater triumph of religion, and brings before his view the blessings of increase which he bestowed upon Noe at his going out from the ark, and upon Moses at his coming forth from Egypt; she regards in this, as well the Catechumens who are preparing for the illumination of baptism, as the body of the faithful who are looking to the eucharist: and she desires that all bearing those branches, may meet Christ in the true spirit of their vocation, so that triumphing over sin, they may be enabled to bear the palm of victory, and secure for themselves reconciliation through the merits of the Saviour, by which they may obtain the olive of peace: and thus enter into the heavenly Jerusalem to live for ever. The choir chaunts the praises of the Eternal, in the *Trisagion*, or thrice holy. The blessing is then resumed by the Pontiff, in beautiful allusions to the peaceful dove returning with the olive to the ark, and to the people who bore the palms to meet Jesus, upon his approach to Jerusalem. Whilst the sign of the cross is made over the branches, an entreaty is poured forth that God will bless all those who with pious sentiments shall carry them: and that this blessing may be extended to every place into which they shall be borne. The next prayer beautifully dwells upon the mystic lessons taught by the observance; and a short petition made in the true spirit of the church, beseeches that the lessons of spiritual religion which the emblematic ceremony was intended to teach, may be deeply impressed upon the minds of the beholders.

The incense and the holy water have been explained in the exposition of the Mass, (pages 317, 318,) the latter is here used to produce and to show the purifying influence of God's grace, the former to signify the good odour of virtue, and to urge us to send up our aspirations to that heaven towards which its fragrant smoke ascends.

The custom of blessing and distributing the palms is a very ancient observance of the church, though not originally universal. P. Merati has produced documents of the fourth or early in the fifth century, which

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show that the practice was then well known in Italy. The documents of the East show it to have been in use there at an earlier period. We can find no document of the English Church mentioning the custom previous to the eighth century. The manner of its celebration though having a general similarity in all places, yet differed in many lesser circumstances.

It was long usual in many churches, and is so still in several, to have a procession, with solemn prayers and hymns, on every Sunday previous to the celebration of Mass. In almost every place, a procession was formed on Palm Sunday, after the branches were blessed, for the purpose of representing the triumphal entry of the Saviour into Jerusalem, that by this observance a stronger impression might be made upon the faithful, and their curiosity being excited, that they should seek and obtain information respecting facts that were, for them, deeply interesting. This principle is the same that God himself taught to the Hebrew people. (Deut. vi. 20, &c.) "And when thy son shall ask thee to-morrow, saying: what mean these testimonies, and ceremonies, and judgments which the Lord God hath commanded us? thou shalt say to him: we were bondsmen of Pharaoh in Egypt, and the Lord God brought us out of Egypt with a strong hand; and he wrought signs and wonders, great and very grievous in Egypt against Pharaoh and all his house in our sight, and he brought us out from thence, that he might bring us in and give us the land concerning which he sware to our fathers: and the Lord commanded that we should do all these ordinances, and should fear the Lord our God," &c.

Upon this same principle the Jewish Church instituted several festivals and solemnities, by the authority conferred upon her by God himself: and in like manner, by virtue of a similar power, given by the Saviour to the Christian Church. (Matt. xvi. 19, xxviii. 8; John xx. 21, &c.,) she has instituted several ceremonial solemnities for the purpose of impressing her children with a sense of the divine favours, and exciting them to proper dispositions of piety. Whilst this procession brought to their minds the occurrences at Jerusalem, it led them to contemplate in spirit, the triumphant march of the elect through time to eternity: but if they would have victory and peace, they must walk after the Saviour, in the road where he leads: his host must be marshalled under the standard of his cross, if it would seek to enter the heavenly Jerusalem. But alas! by the prevarication of our first parents, as well as by our own crimes, the gates of the celestial city are closed to prevent our ingress, until by the atonement of the cross they are opened, so that we can enter only through the blessed Jesus, by virtue of his merits, and by walking in that way which he has marked for our passage.

The Lord himself had prescribed (Lev. xxiii. 40), the very ceremonial with which the Saviour was received, though for a different object: the Prophet Zachary (ix. 9,) describes the manner of this entry. Profane authors, as well as sacred, inform us that the strewing of the garments was a testimony of extraordinary homage. Plutarch mentions it in his life of Cato of Utica, and in (4 Kings ix. 13,) it is mentioned as a token of royal dignity. The crowd from Jerusalem, therefore, received thus their Christ, because they hoped it was he that should have redeemed Israel. (Luke xxiv. 21.) And indeed it was for the very purpose of that redemption he came, though they as yet did not understand what is now manifest to us, that he ought to have suffered, and so enter into his glory.

In some places, the palms were blessed outside the city, and the procession was stopped at its entrance, by finding the gates closed, until they were opened after having been struck by the cross. Such used to be the case in Paris. In other churches, the Holy Eucharist, which contained Christ himself, was carried; such was the case at the famous abbey of Bec, in Normandy, as Lanfranc, Archbishop of Canterbury, informs us; this was observed in several others also: Matthew Paris, in his life of Abbot Simon, tells us the same rite was followed at St. Albans in England. The like was observed at Salisbury.

In other churches the Bible was carried: this was the case in most of the German churches; and generally in the Greek Church. The antiquarian would find abundant documents to interest him on this subject. Formerly, the procession in Rome was not confined to the precincts of a hall or a palace: and at several stations the cross itself, as emblematic of the Saviour, was solemnly saluted.

We now return to the ceremony in the chapel. The blessing having been concluded, and the two voters of the signature who had charge of the holy water, and thurible having retired, the governor presents the branches which were held by the deacon and sub-deacon, and that held by the sacristan to the senior cardinal-bishop, who gives them to the Pope, by whom they are consigned, through the assistant cardinal-deacon, to his cupbearer. The master of ceremonies then gives one of them to the

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assistant-prince, who holds it during the entire ceremony. A richly embroidered veil, is now placed by a master of ceremonies on the knees of his holiness.

The cardinals then go in succession to the throne, to receive from the Pontiff the palm; each pays the proper homage by kissing the hand from which he receives the branch, the palm itself, and the right knee of the holy father. When they have all been served, they are succeeded by the patriarchs, archbishops, and bishops assisting at the throne, wearing their mitres, who, kneeling, receive the palm, which they kiss, and then the right knee of the Pope: the archbishops and bishops, not assistant, follow next in order, similarly habited, and observe the same ceremony. The mitred abbots are next: instead of kissing the knee, they kiss the Pontiff's foot, as do all those who succeed them: the penitentiaries in their chasubles follow. The other members of the chapel come in the following order, viz.: the governor and the prince assistant, the auditor of the apostolic chamber, the major-domo, the treasurer, the prothonotaries-apostolic, the regent of the Chancery, the auditor of contradictions, the generals of the religious orders, the three conservators, and the prior of the Caporioni, the master of the sacred dwelling, the auditors of the Rota, the master of the sacred palace, the clerks of the chamber, the voters of the signature, the abbreviators, the priest-assistant to the celebrant, the deacon and sub-deacon, the masters of ceremony, the assistant chamberlains, the private chamberlains, the consistorial-advocates, the private chaplains, the ordinary chaplains, the extra chamberlains, the procurators-general of religious orders, the esquires, the chaunters, the assistant sacristan, the clerks and acolyths of the chapel, the chaplains of the cardinals, the porters, called *De Virga Rubea*. These are persons whose duty it was formerly to prepare the place upon which the Pope's vestments were laid, and to stand at the door as porters: at present they are two persons who attend to guard the papal cross; they are clothed in purple cassocks, with cinctures and purple serge cloaks; they used to carry in their hands, as emblems of their office, staves about three feet long, covered with crimson velvet, tipped with silver, having, also, silver hoops round the middle; whence they are called of the *red rod*. The next are the mace-bearers who, over a plain black dress, wear a purple cloak, having edgings of black velvet, and cross-trimmings of black lace, bearing silver maces in their hands. They form a sort of guard for the Pontiff, and trace their origin to a guard of twenty-five men, assigned by the Emperor Constantine to Pope Sylvester. The students of the German College, in the last year of their theological course, follow, wearing red cassocks; after whom are such foreigners of distinction, if any, as have had their names inscribed on the list of the major-domo. Each makes the proper reverence to the altar, and to his holiness. The cardinal-deacon to the left of the throne assists in the distribution.

Towards the close of this ceremony six of the guard of nobles enter the choir, accompanied by the commander and other superior officers, and drawing up in front of the throne, they form into line, facing forwards to the chapel, having the mace-bearers on their left in oblique continuation.

During this distribution the choir performs the proper anthems in plain chaunt. In some places children sang the exclamations which, at the entrance of the Saviour, were repeated by the youth of Judea. The assistant-prince, attended by an auditor of the Rota, two clerks of the chamber, and two mace-bearers, presents the water, and the cardinal-dean holds the towel, whilst the Pope washes his hands. His holiness then says the proper prayer, after which he casts incense, given to him by the senior cardinal-priest, into the censer, which is held by the senior voter of the signature; the junior auditor of the Rota, in the vesture of a sub-deacon, mean time takes the cross, and goes to the foot of the throne; the senior cardinal-deacon then turning to the people chaunts, "*Procedamus in pace*," "Let us go forward in peace." To which is given the answer "*In nomine Christi, Amen*," "In the name of Christ, Amen." The procession begins to move. The cross is veiled, to exhibit the mourning of the church in the passion time.

The esquires are first, then the proctors of the college, next the procurators-general of religious orders, chaplains, consistorial-advocates, ecclesiastical-chamberlains, choristers or chaunters, abbreviators, voters of the signature, clerks of the chamber, auditors of the Rota, the thurifer, the sub-deacon with the veiled cross, upon the right transverse of which is an olive branch with a cross of palm: he has an acolyth with a lighted candle at each side of him; he is followed by the penitentiaries, mitred abbots, bishops and cardinals. Then the lay-chamberlains, the herald, the master of the horse, the commissioned officers of the Swiss Guards, the commissioned officers of the guard of nobles, the master of the dwelling, conservators, constable, and governor. The Pope is borne on a seat carried by twelve sup-

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porters, under a canopy sustained by eight referendaries of the signature, clad in prelatic dress.

After him comes the dean of the Rota, between two chamberlains; then the auditor of the apostolic chamber, the treasurer, the major-domo, the prothonotaries-apostolic: the generals of the religious orders close the procession.

As they advance, the choir sings the passages taken from the Gospels, describing the occurrence which is commemorated. The *Sala Regia* is lined with the city militia, through whose ranks the procession moves, and as soon as the Pope enters this hall, the guard of nobles surround his seat, and two of the choristers go back to the chapel, the gates of which are closed. The procession turning to the right, continues round the hall, until having made the circuit, it again reaches the gate of the Sistine chapel. The beautiful hymn *Gloria, laus et honor* is sung in alternate verses by the chaunters, who remain inside, and the choir continues in the procession. This hymn is thought to have been composed by Theodulph, a French abbot, about the year 835, when he was confined in Angers, for having conspired with the sons of the Emperor Louis the pious, against their father; having been set at liberty, he was subsequently bishop of Orleans. Some, however, attribute it to Rinald, Bishop of Langres. A curious story is related of Theodulph's having obtained his release, by having sung this hymn as the emperor passed by the prison, in the procession of Palm Sunday.

The sub-deacon strikes with the staff of the cross, the door which has been closed, for the mystic reason previously given; it is then opened, and the procession enters, singing the verse "When the Lord entered into the holy city," &c.

This ceremony having been terminated, the cardinals, bishops, abbots and penitentiaries, who had worn sacred vestments, lay them aside, and take their ordinary dress of the chapel; then a cardinal-priest celebrates Mass.

The portion of the Gospel selected for this Mass, is the history of the passion of our Lord, as it is related by St. Matthew, in the chapters xxvi. xxvii.; but the mode in which it is chaunted, differs very much from the ordinary manner. Three deacons divide the history between them. The lessons which the spouse of the Saviour desires to teach, are: that the author of blessing was slain for our iniquities: therefore the benediction is not asked as usual; no lights are borne before the book, for Christ the true light, which enlighteneth every man coming into this world, was for a time extinguished. No smoke of incense ascends, because the very piety and faith of the Apostles was wavering, for when the shepherd was stricken, the fold was scattered; no *Dominus vobiscum* is sung, because it was by a salute the traitor delivered Jesus into the hands of his enemies: nor is *Gloria tibi Domine* said, because the grief at beholding the Redeemer stripped of his glory, fills the hearts of the faithful.

The ancient mode of reciting tragedy was by one, and subsequently by two or more persons, who related the history in solemn chaunt. The way in which the passion is sung to-day, is a remnant of this ancient solemnity. The historical recital is by a tenor voice; that which was said by some of those concerned, and which is called *Ancilla*, because a portion of it consists of what was said by the servant maid to Peter, is by a voice in *contralto;* and those expressions used by the Saviour are in bass; the choir sings the words spoken by the crowd: and though the history is one of wo, still the palms are held during the recital, to show that it was by the suffering of Him by whose bruises we were healed, that the victory over death and hell has been achieved. But when the fact of his bowing down the head to give up the ghost, is related, all kneel, and in some churches they lie prostrate for some moments, in deep humiliation and solemn adoration of Him, who thus for our sakes was overwhelmed with the sorrows of death: in other churches they kiss the ground. The last five verses are sung by the deacon in the usual Gospel tone, after having received the blessing and incensed the book, but without having lights borne with the incense, for it is a joyless recital.

After the Gospel, the cardinals, standing in the centre of the chapel, recite the Nicene creed, their branches of palm are laid aside. The assistant-prince alone retains his, with the exception of the cupbearer, who has that of the holy father.

The beautiful hymn *Stabat Mater* is generally sung at the offertory of this Mass. Formerly the history of the passion was chaunted in Greek as well as in Latin, on this day.

The faithful, looking with confidence to the divine protection, which has been implored by the church, in favour of those who will bear these palms with proper dispositions, as also for the places into which they shall be carried; and revering besides, even those inanimate objects upon which the blessing of heaven has been specially invoked, and which are used to aid the practice of religion, keep those branches with

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respect, not only as memorials of the great event which has caused their introduction, but also as occasions of blessing. They bear them upon their persons, and place them in their dwellings.

In the afternoon of this day, the cardinal grand penitentiary, goes in state to the church of St. John of Lateran, and is received by the canons in form; after which he goes to his confessional, and sits to receive any penitent that might present himself. This is at present merely a ceremony, continued as a testimony of ancient usage, from the time when the discipline of the church was more severe, and the public sinners and others were subjected to a severe course of public penance: an opportunity was afforded them at the approach of Easter, for such a reconciliation as would enable them to receive the holy Eucharist.

WEDNESDAY.

The office of this afternoon properly belongs to Thursday; hence, in the book which has been previously mentioned, it is under the head of *Giovedì Santo*.

From the days of the Apostles, the church has prescribed for her clergy a divine office; that is, a duty of attendance upon the Lord. This duty was one of prayer.

Amongst the ancients, the night was divided into four watches, and the day into four stations; so that the military who were appointed to the guard duty, relieved each other at the termination of each watch or station. In several of the Christian churches, the soldiers of the Lord emulated those of the emperors, in the assiduity of their service, and the court of the heavenly monarch was never without adorers. The fervent men who were our predecessors in the faith, looked upon themselves, indeed, as merely passengers upon earth; they regarded heaven as their true country, and already they aspired by their psalms and their hymns, to unite with those choirs of the blessed, amongst whom they expected to dwell for eternity. The royal psalmist declares (Ps. cxviii. 62), that he rose at midnight to give praise to the Lord. Pliny the younger, Lucian, and Ammianus Marcellinus, mention the custom of the Christians to sing and watch at night. Lactantius tells us that they did so, to prepare for the arrival of their king and God. But St. John Chrysostom tells us, that the people were not called to these night offices except on Sundays, and other solemn occasions. However, in the monasteries and amongst the clergy, the *course*, which was its appellation, was regularly performed; and as the canons regulated the time and manner of the performance, the hours and subsequently the office, came to be known by the appellation of the "canonical hours."

The discipline on this head was not everywhere exactly the same, but there was a striking similarity. The hours of the night were called *Nocturns*. On ordinary occasions, there was only one nocturn or night-watch; but on very solemn occasions there were three. At this assembly, a number of psalms were chaunted, after which some scriptural or other sacred lessons were read, and a prayer sometimes offered. When there were several nocturns, this same custom was observed at each. The office of the night, on solemn occasions, latterly consisted of three nocturns, at the first of which three psalms were chaunted, and three lessons of the Old Testament were read; after each of which lessons, an appropriate responsory or answer was sung. At the second nocturn, three other psalms were chaunted, and three lessons were read from the writings of some pious and learned prelate, or from the history of the martyrdom and virtues of those whose festival was celebrated. At the third nocturn, they sung three other psalms, and read some lessons of the New Testament. On Sunday, the number of psalms for the first nocturn, was sometimes nine, and sometimes even more.

The ancients had given the name of *Matuta* to a fictitious deity, whom the Greeks called *Leucothea* or the "white Goddess." In the latter time of the Roman republic, she was called Aurora. Hence the period of morning was called *ad Matutinum tempus*. The Christians began just before day-break their praises in the performance of four psalms and a canticle: this office was called *Laudes ad Matutinum*, or the praises for the morning. A variety of reasons conspired to introduce, subsequently, the practice of assembling just before dawn, to perform the offices of night and day-break, instead of continuing the vigils or night-watches, and all this portion of the office came, therefore, to be known as that of *Matins and Lauds*. But in some monasteries of strict observance, they preserve the ancient custom of rising to matins, with some occasional relaxation at midnight; in others they postpone the hour.

Previously to the introduction of bells, the faithful were invited to these offices principally by the clapping of boards. Some new portions were from time to time added to the mere psalms and lessons. Thus, antiphons or passages fit to express the peculiar object of the solemnity were chaunted before and after each psalm. At the end of the lesser doxology, "Glory be to the Fa-

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ther," &c., was added; a short passage consonant to the sentiments befitting the festival, was sung in a more lively strain, and it was called a *versicle*—because, during its performance, they turned to the altar, *versus altare*, and the response or answer was in the same tone. The president repeated the Lord's prayer, and also a short deprecatory form called the absolution, because it absolved or finished the psalms of that nocturn; and each reader besought a blessing before he commenced his lesson. Besides, the president at the commencement entreated the Lord to open his lips, that his mouth might announce the Creator's praise. He also invited the special aid of God; a joyful invitatory psalm, with appropriate versicles and responsories, was sung to excite the fervour of the assembly; and a hymn, generally in lyric measure, and with varied modulations, preceded the first nocturn. The *Te Deum* followed the last lesson; and a little chapter of festivity, with a suitable hymn before the canticle and its prayer, terminated the Lauds.

A proper office was also celebrated at the first, third, sixth, and ninth hours of the day, as also at vespers or sunset; and complin, or the filling up of the entire duty, formed the conclusion of the service, before retiring to repose.

For a long period after the vigils were generally discontinued, the faithful used to assemble at midnight for the nocturns of Thursday, Friday, and Saturday of the Holy week; but, for some centuries, the office has been always celebrated in the afternoon of the preceding day. Thus, in an ancient Roman *Ordo* we read: *On Wednesday afternoon, the Lord Pope comes at a proper hour to the office of matins in a cloak of scarlet, with a hood over his forehead, not folded back, and without a mitre.*

On these days the church rejects from her office all that has been introduced to express joy. The first invocations are omitted, no invitatory is made, no hymn is sung, the nocturn commences by the antiphon of the first psalm; the versicle and responsory end the choral chaunt, for no absolution is said; the lessons are also said without blessing asked or received; no chapter at Lauds, but the *Miserere* follows the canticle, and precedes the prayer, which is said without any salutation of the people by the *Dominus vobiscum*, even without the usual notice of *Oremus*. The celebrant also lowers his voice towards the termination of the petition itself; thus, the *Amen* is not said by the people, as on other occasions, nor is the doxology found in any part of the service.

This office is called *tenebræ*, or darkness. Authors are not agreed as to the reason. Some inform us that the appellation was given, because formerly it was celebrated in the darkness of midnight; others say that the name is derived from the obscurity in which the church is left at the conclusion of the office, when the lights are extinguished. The only doubt which suggests itself regarding the correctness of this latter derivation, arises from the fact, that Theodore, the archdeacon of the holy Roman Church, informed Amalarius, who wrote about the year 840, that the lights were not extinguished in his time in the Church of St. John of Lateran on holy Thursday; but the context does not make it so clear that the answer regarded this office of matins and lauds, or if it did, the Church of St. John then followed a different practice from that used by most others, and by Rome itself for many ages since.

The office of Wednesday evening, then, is the matins and lauds of Thursday morning in their most simple and ancient style, stripped of every circumstance which could excite to joy, or draw the mind from contemplating the grief of the Man of Sorrows. At the epistle side of the sanctuary, however, an unusual object presents itself to our view. It is a large candlestick, upon whose summit a triangle is placed; on the side ascending to the apex of this figure are fourteen yellow candles, and one on the point itself. Before giving the explanation generally received, respecting the object of present introduction, we shall mention what has been said by some others. These lights, and those upon the altar, are extinguished during the office. All are agreed that one great object of this extinction is to testify grief and mourning. Some writers, who appear desirous of making all our ceremonial find its origin in mere natural causes, tell us that it is but the preservation of the old-fashioned light which was used in former times when this office was celebrated at night,—and that the present gradual extinction of its candles, one after the other, is also derived from the original habit of putting out the lights successively, as the morning began to grow more clear, until the brightness of full day enabled the readers to dispense altogether with any artificial aid. These gentlemen, however, have been rather unfortunate in causing all this to occur in the catacombs, into which the rays of the eastern sun could not easily find their way, at least with such power as to supersede the use of lights. They give us no explanation of the difference of colour in the candles which existed, and

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still exists, in many places,—the upper one being white, and the others yellow, nor of the form of this triangle. Besides, in some churches, all the candles were extinguished at once, in several by a hand made of wax, to represent that of Judas; in others they were all quenched by a moist spunge passed over them, to show the death of Christ; and on the next day, fire was struck from a flint, by which they were again kindled, to show his resurrection. Some of the writers inform us that all the lower lights were emblematic of the Apostles and other disciples of the Saviour, who, at the period that his sufferings grew to their crisis, became terrified by his arrest. his humiliations, his condemnation, and crucifixion, as well as by the supernatural exhibitions upon Calvary, and in Jerusalem; and that the extinction shows the terror and doubts by which they were overwhelmed; but that the Blessed Virgin, who is represented by the candle upon the summit, and which was not extinguished, alone retained all her confidence unshaken, and with a clear and perfect expectation of his resurrection, yet plunged in grief, beheld the appalling spectres that came, as from another world, to bear testimony of a deicide in this.

The number of lights was by no means everywhere the same. In some, there was a candle corresponding to each psalm, and to each lesson of the office. Thus, in some we read of twenty-four wax lights, and a number of lamps; in others, of thirty: in some twelve, in some nine, in some only seven; whilst, in other churches, every person had leave to bring as many as he thought proper; and in some churches they were extinguished at once,—in others at two, three, or more intervals. In the church of Canterbury, according to the statutes of Lanfranc, the number was twenty-five,—but, since the twelfth century, the custom has become pretty general of having fifteen upon the triangle, and six upon the altar. In the Sixtine chapel, there are also six upon the balustrade, which, however, are extinguished by a beadle, at the same time that those upon the altar are put out by the master of ceremonies; nor is the candle upon the point of the triangle, in this chapel, of a different colour from the others; the usual custom of the church has been, to use unpurified wax for her lights on days of mourning and penance.

The explanation which appears to us most instructive, is that which informs us that the candles which are ranged along the sides of this triangle represent the patriarchs and prophets, who, under the law of nature and the written law, gave the world the light of that imperfect revelation which they received, but all tending towards one point, which was Christ the Messias, He that was promised; as not only the one in whom all nations should be blessed, but who, as the orient on high, was to shed the beams of knowledge upon those minds that had been so long enveloped in darkness. As these lights are extinguished, one at the end of each psalm, so were these chosen ones, after having proclaimed the praises of the Redeemer, consigned to death, many of them by the people whom they instructed. Towards the termination of the office, the lights upon the altar are also put out, whilst the choir recites the last verses of the canticle of Zacharias, the father of John the Baptist,—a canticle in which that priest first proclaimed the praises of the Lord, the glories of the Saviour, and the office of his own son, when his dumbness was terminated upon the circumcision and naming of the child that was to be the precursor.

This John was the last of the prophetic band, but his light was more resplendent than that of any of his predecessors,—because, upon the banks of the Jordan, he pointed out the Lamb of God, that came to take away the sins of the world; and because he sent his disciples from his prison to receive, from Jesus himself, the testimony of those miraculous works, by the performance of which, the prophecies regarding him were made manifest. Thus was he more than a prophet, by his demonstration of the Christ. John, then, was also consigned to the grave by Herod, and Jesus remained, with the eyes of all Judea fixed upon him, now that he was clearly established in the full and unrivalled possession of the character of Him who was to be sent, of Him who was expected, of Him whose day Abraham longed to see, and beholding it rejoiced, for he had done works which no other had done, and there was no excuse for the unbelievers. The conspiracy is successful; the traitor delivers him, the ceremony corresponds to this; for now the remaining candle is concealed under the altar at the epistle side, the prayer is in silence, the psalm beseeching mercy is sung, the last petition is made, and a sudden noise reminds us of the convulsions of nature at the Saviour's death, when, crying out with a loud voice, he gave up the ghost; whilst the affrighted sun drew back, the moon was covered with dark clouds, the veil of the temple, by its rent, opened the way for this eternal High Priest to bear his own blood into that sanctuary which it had hitherto concealed; and the very rocks afforded, by their new chasms, an egress for

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those who had been long entombed, to come forth and exhibit themselves in the agitated city. But this light has not been extinguished, it has only been covered for a time; it will be produced, still burning and shedding its light around. Yes! the third day will see the Saviour resuscitated, and beaming his effulgence on the world.

With these explanations it is trusted that the ceremony of this afternoon will be intelligible and instructive, especially to those who, providing themselves with office books, can enter into the spirit of the psalms and lessons, as well as of the ceremonial itself.

The Pope wears a reddish-purple cope of satin, and mitre of silver cloth, or a red serge cappa, the hood of which he throws over his head, if he should lay aside his mitre. The cardinals are in violet cassocks and cappas; the other attendants in their usual dress.

The antiphon of the first psalm is intoned in soprano, which the choir takes up; the psalms are scarcely chaunted; they are rather said in a subdued note; after the versicle, the *Pater noster* is said in a low voice. The first lesson is taken from the Lamentations of the Prophet Jeremias, in which, under the name of the daughter of Sion, he bewails the desolation of that Jerusalem over which Jesus Christ wept. Four voices sing this in parts; the second and third lessons are from the same book; they are performed in plain chaunt. At the conclusion of each lesson, the choir, in the name of the church, calls pathetically, and with emphasis, upon the Jewish synagogue, and generally upon all sinners to be converted; the invitation is, "Jerusalem! Jerusalem! O turn to the Lord thy God!" The responsories to each lesson are sung by some of the choristers. The lessons of the second nocturn are a portion of the homily of St. Augustin on the fifty-fourth psalm, and those of the third nocturn are that portion of the first epistle of St. Paul to the Corinthians which relates to the institution of the blessed eucharist by the Saviour, on the night that he was betrayed.

After these lessons and their proper responsories, the office of lauds commences. The proper antiphon, "Thou wilt be justified, O Lord! in thy words, and shalt overcome when thou art judged," precedes the psalm *Miserere*. When the other psalms and the canticle of Moses after the passage of the Red Sea have been concluded, and all the candles on the stand have been extinguished, save the one on the summit of the triangle, the versicle is sung; the antiphon to the canticle of Zachary, "The traitor gave them a sign, saying, whomsoever I shall kiss is he, hold ye him," is performed; the canticle itself, called from its first word *Benedictus* is next sung, then the antiphon is repeated. When the lights upon the altar, and those upon the balustrade have been extinguished, the holy father comes down from his throne, and whilst two treble voices sing the versicle which follows: "Christ was made for us obedient even unto death," he kneels, the Lord's prayer is secretly said, after which four voices sing the *Miserere* of Allegri in alternate verses, but they all join in the last passage, with other voices, which dying away seem about to be lost, until they again rise upon the concluding notes. The Pontiff now reads the closing prayer, the last words of which are scarcely audible, and a noise succeeds, like that which we are informed was made in the Jewish assemblies when in reading the book of Esther the name of Aman was mentioned. It is significant of that confusion of nature, which occurred at the Redeemer's death, when the centurion, and they who were with him returned into the city, declaring that indeed he was the Son of God; many striking their breasts, bewailed their offences and were truly converted. Such are the sentiments in which the church desires her children should depart from this office.

On this evening, at about half after four o'clock, the cardinal grand penitentiary goes in state to the residence of the Dominican penitentiaries attached to the basilic of St. Mary Major's; accompanied by them, he proceeds to the church itself, where he is formally received by four of the canons: after using the holy water, he is accompanied to the confessional. This, as was remarked respecting a similar form on Sunday afternoon, is now a mere ceremony. In most churches, the public penitents were formerly brought before the bishop, after matins on holy Thursday, and after the seven penitential psalms, the litanies of the saints, and other prayers had been said, or sung, they received what was called the first absolution. In many places they received the second absolution after the third, or ninth hour, and dined with the bishop in the evening. In the church of Salisbury in England, the reconciliation was after the ninth hour. The archdeacon prayed the bishop in the name of the penitents at the church door, to admit them to favour, and the ceremony was interesting and edifying.

On the afternoon of this and the two following days, it is usual at the hospital *della Trinita*, for many respectable persons, among whom will frequently be found cardinals and prelates, to wait at table upon pilgrims,

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who are received to hospitality in this establishment for some days, whilst they perform their religious duties. The same acts of humility and charity are performed by some of the most respectable and religious ladies of Rome, in a separate apartment for the female pilgrims, who at this solemn time come to indulge their devotion in the holy city. The sentiments which in this season befit all classes, are, indeed, those of penitence, humility, charity, condescension, kindness, mutual respect, and affability.

THURSDAY.

It is called *Maundy Thursday*, from the *mandatum* or command given by the Saviour for washing the feet. It was usual in many places formerly to celebrate three masses on this day; at the first, the public penitents were reconciled; at the second, the oils were consecrated; at the third, there was a more solemn celebration than usual, to honour the anniversary of that day on which our Saviour instituted the holy sacrifice of the Mass, and the blessed eucharist. Now in general, only one Mass is celebrated in each church, and if it be a cathedral, the oils are usually blessed, and the clergy go to communion, on which occasion they receive of course, only under the appearance of bread.

St. Augustin mentions the custom in his time of having two masses on this day; one was celebrated in the morning by a priest who, as usual, was fasting, and another in the evening by a priest who was not fasting; at which latter, persons who had eaten went to communion. The holy doctor neither censures nor approves the custom. The third council of Carthage in its thirty-ninth canon permits the celebration of Mass, only on this day, by a priest who had eaten; as did also the council of Constantinople, (in Trullo,) for that part only of Africa, in which the custom had been long established. The rite of this day differed very greatly not only in several churches, but in the same church at several periods; thus we find by the pontifical of Egbert, Bishop of York, by that of Turpin, Archbishop of Rheims, and by the Ordo of Pope Gelasius, that one of the masses of this day had no collect. However, these varieties belong not to our present purpose.

This being the anniversary of the eucharistic institution, and of the Saviour's washing his disciples' feet, we shall hastily advert to the facts that occurred. The passover or paschal time, was the anniversary of the liberation of the people of Israel from Egypt, and they, every year, by a divine ordinance eat the paschal supper, to commemorate this deliverance, which occurred after their fathers had eaten the flesh of a lamb, sacrificed in the perfection of his age; this victim was a figure of Jesus, the true lamb who takes away the sins of the world, and who was slain towards evening without breaking a bone in his body, and whose blood is sprinkled, not upon the material door-posts, but upon the souls of those whom he desires to save from the destroying angel, and to whom he gave the command that they should eat the flesh of that very lamb by whose blood they are redeemed. This Jewish ceremony was then, not only a commemoration of the deliverance of their fathers, but also a figure of the Saviour's death, and of the institution of the holy sacrifice, and of the blessed sacrament of the eucharist. The Saviour went up to Jerusalem to accomplish the redemption, whilst he also, in so doing, fulfilled the ancient figures. The evangelists relate to us how he sent his disciples to prepare this paschal supper. (Matt. xxvi. 18, &c.) At this celebration he told them how he had desired to eat this passover with them before he suffered, because he was not to have any other celebration until he would establish in its stead the new ordinance in the kingdom of God, that is the Christian institution in which the figure should be fulfilled. (Luke xxii. 15, 16.) After concluding this legal, ritual supper, he gave them, as was thereat usual, wine to divide amongst them, declaring that he would not drink of the fruit of this vine, until the kingdom of God, that is, the new institution for the Christian law should arrive. (Luke xxii. 17, 18.) An ordinary repast, as was customary, followed this Israelitic celebration; and whilst they were eating this meal, he published how one of them was about to betray him, (Matt. xxvi. 21, &c.,) and gave to John the private intimation, showing who would be the traitor. (John xiii. 23, 24, 25, 26.) And when he had done this supper, (John xiii. 2,) he got up from the table, and laying aside his outer garments, he girded himself with a towel, and pouring water into a basin, he washed the feet of his disciples; desiring then that his grace should make them wholly and perfectly free from crime, that they might receive with benefit, what he was about to bestow in the holy sacrament, though, unfortunately, they would not all profit by his grace. (John xiii. 10, 11.) They had not risen, but were yet at the supper table, (Matt. xxvi. 26,) and some of them might have been still eating, (Mark xv. 22,) but the Saviour had supped, (1 Cor. xi. 25,) when he took the bread and wine, which he blessed and

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changed, and offered to his Father, giving thanks, and distributed to them, declaring, that under these appearances was that body which was given for them, (Luke xxii. 19,) and that blood which should be shed for many for the remission of sins, (Matt. xxvi. 28,) and then he gave them power to do what he had done, for the purpose of a commemoration of him, or of showing forth his death until his second coming. (1 Cor. xi. 24, 25, 26.)

The ceremonies of this day regard altogether the facts here related. The church even in the midst of her grief, allows on this day, some joy and gratitude for the mighty boon conferred on her children in this divine institution. Upon entering the chapel, therefore, its symptoms will at once be seen. Though her ornaments are veiled, yet they are covered with white, and the altar is somewhat ornamented; the candles are also of white wax. The cardinal-dean generally celebrates Mass.

As the peculiar ceremonies of the chapel where the Pope assists at Mass, have not been previously described, they shall be noticed in the account that is here given of that which is celebrated to-day.

THE MASS.

The cardinals, as they arrive, take their purple cappas, or cloaks with ermine, in the *Sala regia*, or royal hall; each is assisted by his chaplains, and when habited, a mace-bearer precedes his eminence as far as the balustrade; he is met by a master of ceremonies at the entrance of the choir; after going into which, he makes a short prayer, then rising, he pays his respects to his brethren on each side, who also rise to return his salute; after which he goes to his proper seat.

Shortly before the time for the arrival of his holiness, the prelate who is to celebrate the Mass, properly habited and attended, comes from the sacristy, by the door beyond the altar. After making the proper reverence to the altar, and to the cardinals, who make a suitable return, he goes to his seat near the credence table, there to await the arrival of the holy father.

The chamberlains and other attendants precede the Pope, who immediately follows his cross. On this day he wears a white cope, and a mitre of cloth of gold. Two cardinal-deacons as usual attend him, and he is followed by the assistant-prince, the patriarchs, archbishops, and bishops assistant at the throne, with the dean of the Rota, and two chamberlains. Turning to his left hand as he passes the celebrant, he gives him his benediction, and advances to the choir, then turning to the right and left, he gives his blessing to the cardinals and others who are in the chapel. The cardinal deacon takes off the Pope's mitre, which he gives to the dean of the Rota; his holiness kneels before the altar at a place prepared for that purpose; after making a short private prayer he rises, and having the celebrant on his left hand, makes the sign of the cross, and begins the preparatory antiphon and psalm *Judica*, which is resumed this day: being answered by the celebrant, his holiness recites the form of confession, and after the celebrant answers and confesses, the holy father continues to lead in the prayers, until the conclusion of this preparatory form at the foot of the altar, when having resumed his mitre, and blessed the cardinals, he goes to sit upon his throne. When he is seated towards the close of the introit, the cardinals come down from their seats to the centre of the chapel, and go to pay the pontiff the usual homage. When the first cardinal-priest has performed it, he, with the usual ceremonies, gives his holiness the incense to bless and to cast into the censer, after which the thurible is taken to the attending deacon, who gives it to the celebrant for the purpose of perfuming the altar. The two cardinal-deacons, who assist at the throne, have their cappas rolled up, so as to be more at liberty to serve. As soon as the homage is paid, the first cardinal-priest, having received the thurible, kneels at the foot of the throne and incenses the pontiff. The book is now held for the Pope by one of the assistant-patriarchs or bishops, and another holds the candle whilst the holy father reads.

On this day, too, the *Gloria in excelsis* is sung, though in more ancient statutes, such as those of Lanfranc for the church of Canterbury; this hymn was not to be sung except at the Mass, when the oils were blessed. It is not usual to ring the bell at the Sixtine Chapel, but in other places, it is rung this day during the repetition of the *Gloria in excelsis*, which has not been previously said in the masses of the time of penance, that is since before Septuagesima Sunday, nor is the bell now rung from this moment until the repetition of this hymn on Saturday, with the exception of the moment of the papal benediction. All the bells in Rome, even those of the clocks, are silent during that time, as symbolic of grief and affliction; and boards are clapped, in the old fashion, to invite persons to the religious offices. Some writers go so far as to say, that the bells represent the preachers, who are silent now that the author of their mission is himself, led like a lamb to the slaugh-

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ter, without opening his mouth to complain. The fact, however, would not sustain this symbolic interpretation, because though the bells are dumb the preachers speak.

The college of cardinals also surround the holy father, whilst with him they repeat the hymn of angelic praise.

The reverence which would be paid by the sub-deacon after singing the epistle, is paid to his holiness; to him also the deacon applies for the blessing before the Gospel, to him the sub-deacon carries the book to be kissed after that Gospel has been sung, and at its termination the senior cardinal-priest incenses the pontiff. When there is a sermon, the preacher attended by a master of ceremonies goes at this time, to ask for the papal benediction; at the end of the discourse, the door of the chancel, which had been closed at its commencement is opened, and the deacon chaunts the Confiteor for the indulgence: there is seldom, however, a sermon on this day in the chapel.

When the celebrant intones the creed, the cardinals and other attendants in the chapel, recite it as they do the first psalm, the Kyrie eleison, the Gloria in excelsis, &c., by pairs, those next to each other, turning, each a little towards his companion: at the creed also they surround the holy father.

After the offertory he blesses the incense, which is then carried to the celebrant to be used at the altar; this being done, his deacon incenses the prelate who celebrates Mass. The censer is carried to the first cardinal-priest, who incenses the Pope kneeling, if he be seated, and standing if the Pope rises, not merely as a testimony of his supremacy in the church, but also of his sovereignty in the state. The same usage existed at Milan, whilst the archbishop of that see was also sovereign of the state. The deacon having received the thurible, incenses the cardinals, bishops, &c., in the proper order of their precedence.

At the end of the preface, the cardinals again meet in the middle of the chapel to repeat the *Trisagion*, after which they receive the Pope's benediction, and go to kneel in their proper places; the holy father comes down to kneel before the altar; twelve esquires in red, come out from the sacristy with lighted torches, and kneel on both sides of the sanctuary during the consecration; on other occasions four at most attend: after the consecration, the holy father, taking his mitre, returns to the platform of his throne, where he remains standing, unmitred, until after the communion. When the celebrant sings the *Pater noster*, the cardinals again coming to the centre of the floor, remain until they say the *Agnus Dei;* but this day the kiss of peace is not given, because it was by a kiss that Judas betrayed his Lord, and indeed, independently of this, the great solemnity is one of joy, yet a weight of sorrow presses upon the mind throughout the offices; and no kiss of peace was given formerly on days of grief and mourning.

Soon after the consecration, the masters of ceremony begin the distribution of the candles for the procession peculiar to the day, and several of the prelates leave the chapel during the *Pater noster*, in order to put off their cloaks and take surplices.

The celebrant consecrates on this day, two particles of the sacred host, one to be consumed as usual at the Mass, the other to be carried in procession to the Pauline chapel and kept until next day, when it is brought back and consumed at the office of Good Friday. The procession which now is in a state of preparation is for this accompaniment. In some very ancient documents we find that the particle thus reserved, was not carried away as now is the custom, but was placed with the greatest reverence behind the altar. In the old formularies of the Cistercians we read that it was placed in a ciborium, which was suspended, according to very ancient usage, over the altar. The Carthusians in their regulations prescribe, that there shall be no such splendid monuments in their churches as are used by the seculars for keeping the sacrament on this occasion, as they say, that splendour befits not their solitude, but that the eucharist shall be kept at the altar in the usual manner. Lanfranc of Canterbury, in his statutes, directs that it shall be kept in a place prepared carefully, in the most becoming manner, and to which it shall be borne by a procession with lights, that it shall be incensed before and after, and the lights kept continually burning at the place.

THE PROCESSION.

This being the anniversary of the institution, the devotion of the faithful to the Holy Sacrament, naturally exhibits itself in the affectionate and respectful gratitude which they feel towards Him, who about to close His mortal career, left us in this divine institution the pledge and token of His most tender affection. On this day, they commemorate His humiliations, and reflect upon their own manifold transgressions of His law and offences of His person; they therefore desire to give some expression of their anxiety to do Him homage and to aid their own feelings of devotion. It is for this purpose that they have for so many centuries

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continued to marshal this procession, to prepare a repository where this Holy Sacrament might receive from them the tokens of their homage, and where they might approach to their hidden God, to render Him that adoration which angels joyously pay.

The cardinals and bishops at the conclusion of the Mass also change their vesture, and the procession is then formed in the same order that it was on Palm Sunday.

The cross is covered with a purple veil, the sub-deacon who bears it, goes outside the chancel to the hall of the chapel, and the choir commences the beautiful hymn *Pange Lingua;* the holy father having paid his reverence to the sacrament, receives the vessel which contains it, enveloped himself with the veil in which he folds it. Bare headed and with incense burning before him, he proceeds towards the *sala regia*, following the bishops and cardinals who as well as the others, bear lights; all who are not in the procession, as the Pope passes, kneel. Whatever their private opinions may be, none should insult by their irreverent or indecorous conduct, those, who in their own house, follow the institutions of their fathers, in paying homage to their God. No difference of opinion, no notions of superior wisdom or of clearer light, can warrant an intrusion of strangers for the purposes of gratifying curiosity at the expense of their feelings, whose chapel is thus invaded. The admission is a concession of courtesy, which every well educated, every correctly informed mind will know how to appreciate. A decorous external conformity is expected, as the least tribute which justice can accept, and it is one which every person, having the ordinary feelings of delicacy, will gladly pay. They who cannot afford so much, must be poor indeed. They would do well not to intrude. The readers of this are presumed generally to be persons of liberal education; to them it is sufficient to intimate, that nothing is more offensive to Catholics than a transgression of the principle here alluded to.

The sala regia is lighted up with twelve cornucopiæ of wax candles, the procession moves to the Pauline chapel which is at the termination of this hall, on the right hand as you leave the Sixtine. The repository for the Holy Sacrament is prepared in this chapel, which is illuminated with nearly six hundred wax candles, and appropriately ornamented. As soon as the Pope enters it, the choir begins with the strophe of *Verbum caro:* and when the Pontiff arrives at the altar, the cardinal deacon kneeling, receives from him the chalice which contains the Holy Sacrament, and accompanied by the proper attendants, carries it to the place prepared for it, where the sacristan fixes it in the vessel prepared for that purpose. The deacon having returned, the cardinal-priest serves the incense, with which the Pope perfumes the Holy Sacrament, and the sacristan closes the door of the repository which he locks, giving the key to the cardinal grand penitentiary, who is to celebrate the next day. The *Tantum Ergo* is sung during this ceremony; and all rise from their knees at its conclusion.

The chapel is called the Pauline, from having been built by Pope Paul III. about the year 1540, as the Sixtine has its name from Pope Sixtus IV. by whom it was built in 1773. Previous to the erection of the Pauline chapel, the ceremony was not so solemn, as it has been since that period.

The name of sepulchre has been generally given by the faithful to the repository in which the Sacrament is kept, and they generally visit this in remembrance of the body of Christ having reposed in the tomb of Joseph of Arimathea. Piety it is true might be thus indulged, but it is an inversion of order; for the church has not yet commemorated the crucifixion. The sacrament is removed in order that the faithful may have an opportunity of indulging their devotion towards the holy Eucharist in a place where it reposes in state, on the anniversary of its institution; whilst the principal altar is thus left free, and again stripped of its decoration at vespers, so as to exhibit the desolation of the Passion.

THE PAPAL BENEDICTION

Is given from the gallery at the front of St. Peter's. Strangers who wish to see the ceremony of the washing of feet, had better omit altogether going to see this benediction, as they will have another opportunity on Sunday, of seeing one similar, without any interference with other ceremonies.

When the holy father has concluded the ceremony in the Pauline chapel, the procession goes in the same order, through the door at the angle, on the right of that chapel as you come out, to the *loggia* or gallery in front of the church of St. Peter's, which is hung with damask, and otherwise decorated. The Pope is carried in his chair upon the platform borne by supporters, under a canopy supported by eight prelates-referendaries: he wears his mitre, and two of his attendants carry the *flabelli*, or large fans of feathers. When the holy father is brought forward to the gallery, the troops of the city are drawn up in order of grand parade, cavalry and infantry; and an immense crowd fill the space before this splen-

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did edifice. The pontiff that now appears before them, is the successor of him, to whom eighteen centuries ago, the eternal Son of God declared, (Matt. xvi. 17, 18, 19,) "Thou art Peter, and upon this rock I will build my church and the gates of hell shall not prevail against it. And I will give to thee the keys of the kingdom of heaven: and whatsoever thou shalt bind on earth, it shall also be bound in heaven; and whatsoever thou shalt loose on earth, it shall also be loosed in heaven." This is the successor of him to whom the same Jesus said on the night when he was betrayed, (Luke xxii. 31, 32,) "Simon, Simon, behold Satan has desired to have thee, that he might sift thee as wheat; but I have prayed for thee, that thy faith fail not; and thou being once converted, confirm thy brethren." This is the successor of him whom after his resurrection, the same Saviour commissioned (John xxi. 15, 16, 17) to feed, not only his lambs, but the very sheep, from whom, they receive the milk of heavenly doctrine. Frail and imperfect as every mortal necessarily is, yet must we, (1 Cor. iv.) account him as "the minister of Christ, the dispenser of the mysteries of God." Viewing him in this light, the multitude desire his blessing on this memorable day, as Abraham desired the blessing of Melchisedec.

The pontiff, feeling that though vested with power to bless, yet prayer will also be beneficial, seeks to obtain aid through the powerful intercession of the blessed spirits that surround the throne of God, before he rises to perform this act of his sacred authority. The following is a translation of the form of prayer, which he uses.

"May the holy Apostles Peter and Paul, in whose power and authority we place confidence, intercede for us with the Lord. Amen."

"We ask through the prayers and merits of the blessed Mary ever virgin, of the blessed John the Baptist, of the blessed Apostles Peter and Paul, and all the saints, that the Almighty God may have mercy upon you, and that all your sins being forgiven, Jesus Christ would bring you to eternal life. Amen."

"May the almighty and merciful Lord bestow upon you, indulgence, absolution, and remission of all your sins, opportunity of true and fruitful penitence, hearts always contrite, penitent, and amendment of life, grace and consolation of the Holy Ghost, and final perseverance in good works. Amen."

Then rising and thrice making the sign of the cross over the multitude, at the mention of the persons of the sacred Trinity, and turning towards the front and each side, he prays:

"And may the blessing of Almighty God, Father, + Son, + and Holy Ghost, + descend upon you and remain for ever. Amen."

One of the cardinal-deacons then reads in Latin, and the other in Italian, the notice signifying that to all those who have attended with proper dispositions of true repentance, and are in the state of friendship with God, the Pope grants a plenary indulgence. Printed notices to this effect are also cast down to the crowd. The amen is four times sung. The military bands strike up their responsive salutation, the bells of St. Peter's proclaim the blessing to the surrounding city, and the artillery of the castle of St. Angelo send the tidings in reverberating echoes to the Sabine hills.

The attendants now change their dresses, laying aside those they had taken for the procession and resuming the ordinary costume of the chapel, and his immediate attendants accompany the Pope to the apartment, whither he is borne for the purpose of preparing for the next ceremony.

For a long period previous to the year 1740, the bull generally called *In Cœna Domini*, used to be published in Latin and Italian on this occasion from the gallery. This bull contained, amongst other clauses, the announcement of that excommunication to which all that departed from the unity of the church, unfortunately subjected themselves. Like many other customs this has been often grossly misrepresented. It is stated by writers, of otherwise respectable characters, to be an imprecation of the vengeance of heaven upon persons who conscientiously reject what they are pleased to call the errors of the Church of Rome. The spirit of malediction is not that of the spouse of Jesus Christ. He did not, nor does she imprecate the wrath of God upon those whose departure she lamented, over whose aberrations she wept, for whose conversion she laboured and she prayed, and whose return she would hail with that tender rapture which St. Luke so pathetically describes. (xv. 20.) She however warned them in the spirit of candour and sincerity of the evils by which they were surrounded, and in the ceremony of extinguishing the lights which on that occasion were flung to the ground, she desired to manifest to them, how their faith had been destroyed by that separation which she so earnestly desired to terminate; because she desired to inculcate the lesson in the spirit which God himself infused into Jeremias when he broke the potter's vessel in the valley of Ennon; conscious that she

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had preserved with fidelity the deposit entrusted to her care, she could not desert her faith to embrace their opinions: and even would reason dictate, and should she so determine, a task of no small difficulty would remain; one that instantly creates an embarrassment from which they can afford no principle of extrication, would perplex her, that is, to find one amongst their conflicting associations which can assure us that in all things it teaches the doctrine of Jesus Christ. Which of them claims an exemption from error? Yet the doctrines of God, the faith of Jesus Christ cannot be contradictory, cannot be erroneous. The form is not now gone through, but unfortunately, the breach is not narrowed!

Many of the writers who have used this topic to excite the prejudices of Protestants against Catholics have asserted, that this bull was altogether a denunciation of them, followed by horrible imprecations and maledictions. This assertion is in both respects unfounded; because, in the first place, they who fix the origin of this custom at the latest date, attribute it to Martin V. in 1420, which is a full century before the date of Protestantism: but there is evidence of its existence previous to 1294, when Boniface VIII. became Pontiff. It was a solemn warning not only to those who erred in faith and destroyed the unity of the church, but also an admonition to those who troubled the public peace of nations or repose of society, that unless they repented and were reconciled to God they could have no hope of his blessing in this life, no participation in the sacramental institutions, nor any reasonable prospect of salvation in the next. This admonition which was certainly no imprecation or malediction, was published in those middle ages of the church, not only once, but three or four times in the year. The object sought to be obtained, was not the wrath of heaven upon the sinner; but that he should be converted and live. Another serious mistake is frequently made by several of our separated brethren who accuse our people of believing that the indulgence is obtained, not upon the condition of being reconciled to God, but by getting possession of one of those little printed notices, to obtain which the same anxiety exists, that will be everywhere found amongst the body of the people when papers are flung to them on public occasions. That there is a pious attachment to the very form itself, is an argument of the affection of the people for their faith; and if strangers, who have not always the most perfect knowledge of their language, their religion or habits, will endeavour from the expressions of these, to sustain their own preconceived opinions in contradiction to our testimony of our own doctrine, and the nature of our practices, we submit that it is not the best mode of obtaining accurate information, and that publications made under such impressions are not those which deserve the highest estimation. Persons in humble stations of life and of limited education can well understand doctrines and practices, though they cannot explain them with the accuracy of theologians.

THE WASHING OF THE FEET.

The cardinals having changed their vestments and returned from the gallery, a few precede the Pope to the hall prepared for the ceremony of washing the feet. The holy father is carried in his chair in the same manner as he was taken to the gallery.

The custom of performing this ceremony is exceedingly ancient, and we can fix upon no period since the days of the Apostles for its introduction. It was as widely spread through the church, as almost any other practice with which we are acquainted, and the special rites were as various as the nations in which they were performed; but all agree in the selection of twelve, thirteen, or sometimes a greater number of persons whose feet were washed, by a prelate, a prince, or a monarch; and some alms were also given to those persons.

Before the introduction of stockings, the feet of travellers and others were generally soiled, and one of the first acts of kindness which was shown to a stranger or a guest, was the washing of his feet; if this was performed by his host, it was the greatest evidence of attention and respect, and the higher the dignity of him who performed it, the greater was the testimony of condescension on his part, and of honour to the stranger. The Saviour, desiring to teach those whom he told to learn of him, because he was meek and humble of heart, (Matt. xi. 29,) performed this office for his Apostles, telling them that they ought by doing so, imitate his example. It is true that what he seeks is not the mere outward action. but the interior disposition; however, our nature is such, that we are in general greatly impressed with the performance of the ceremony, and the great Author of our being was well aware of this, when he not merely sanctioned the use of the rite, but taught it. Hence St. Paul in his first epistle to Timothy, enumerating the qualities required in a widow to be consecrated to the service of the church mentions, (v. 10,) amongst others, "if she have washed the

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saints' feet." St. Augustin, as early as the beginning of the fifth age, in his epistle to Januarius, tells us that the custom had been laid aside by several churches, because it had given rise to an error, that it was a sort of baptism. This, however, was a partial and transient mistake, and the usage was resumed, especially on this anniversary day. The fathers of the seventeenth Council of Toledo in the seventeenth century, complain greatly of its neglect and enact a penalty against such of the clergy as should omit it. Pope Zachary, about the year 742, having been consulted by St. Boniface, Bishop of Mayence, regarding the propriety of its performance in convents of females, answered that the nuns might certainly continue to perform this office for each other, as the admonition of Christ extended to women equally as it did to men.

Various abuses occasionally crept into this discipline as well as into others, and amongst them was that of an unbecoming luxury at feasts that were made at some monasteries: these however found their remedies in due time.

In Rome the custom was at one period to have two washings, one immediately after Mass, when the feet of twelve sub-deacons were washed, and one after dinner, when thirteen poor persons were similarly attended: both were performed by the Pope. But for a long time it has been usual to have only one ablution, viz.: that of thirteen priests. The selection of one of these was made by each of the following personages, viz.: by the ambassadors of Austria, of France, of Spain, of Portugal, of Venice, by the three cardinals, viz.: the Protector of Poland, the secretary of state and the Camerlengo: by the major-domo, and by the captain of the Swiss guard; the cardinal-prefect of Propaganda names two, and an Armenian priest is selected by the cardinal-protector of that nation. Antiquarians and rubricians have been perplexed to find why the number is thirteen. We shall give their conjectures, without venturing any opinion, as to which should be preferred. In John xii. 3, mention is made of Mary's having anointed the feet of the Saviour. The first washing the feet of the twelve sub-deacons was said to be in commemoration of this: the second washing of thirteen poor persons after dinner, was said to have been a representation of that described in John xii. 4, &c. The present ceremony represents both: one person for the act of Mary, and twelve for the Apostles. Others tell us that the thirteenth was introduced to commemorate the miraculous appearance of an angel, amongst twelve poor persons, whom St. Gregory the Great daily fed at his residence, now the church on the Monte Celio, in a chapel near which a picture is seen describing the occurrence, with the following distich.

> "Bissenos hic Gregorius pascebat egenos
> Angelus et decimus tertius accubuit."

Whence a custom certainly originated of having daily thirteen poor persons to dine at the Pope's palace, amongst whom are generally some priests sent from the hospital of the Trinity. Others say that the thirteenth represents St. Paul, others that he is for Matthias: whilst some will have him to represent the host at whose house Christ celebrated the festival with the Apostles, and who they say had his feet also washed on that occasion by the Saviour. The object of the ceremony then is two-fold: first, to preserve the recollection of interesting facts, by continuing ancient usages: and secondly to give the Pontiff this opportunity of learning and practising a lesson of humility taught by his divine Master.

The hall where this ceremony takes place is richly decorated; the *sala Ducale*, opposite the Sistine chapel, was the chamber formerly used; latterly, the *sala Clementina*, as being much larger, is preferred.

The Papal throne is fixed upon a platform at one end of the hall, and on each side is a stool for the assisting cardinal-deacon, near these the flabelli lie against the arras, which hangs on the wall.

To the right of the throne is the place for the prince-assistant and the magistrates: such of the cardinal-bishops and priests as remain, are also on this side, and near them is the treasurer.

On the same side, but apart, are persons who hold basins of flowers, towels, and pitchers.

On the lower steps are three auditors of the Rota, two of whom are to bear the Pope's train, the third has a towel for wiping his hands: with them are two clerks of the chamber, to assist in that washing.

To the left of the throne are two assistant-bishops, to serve with the book and candle, attended by two clerks of the chapel, who hold these when not wanted. At this side also are the cardinal-deacons, and such cardinal-priests as could not conveniently find places on the other side.

Upon the lower step is the cardinal-deacon, who sings the Gospel, wearing a dalmatic, and having on his left an auditor of the Rota in a Tunic. The cross-bearers and acolyths are also near them, as also the attendants of the cardinal-deacon, with the book, and stand, &c.

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The thurifer and incense-bearer are on the lower step also; and any prelates who may attend, take places as conveniently as they can upon the floor.

The priests whose feet are to be washed are seated on elevated benches, wearing white habits, and having on their heads high caps: hoods also come over their shoulders and around their necks. The stocking on the right foot of each is cut, to be easily opened and exhibit the foot bare.

When the holy father has left the gallery of the benediction, he changes his vestments, taking a purple stole, a cope of dark red satin, with a silver-gilt formal or breastplate, and mitre of silver cloth. Being thus vested, he comes to the place prepared for him in the hall, and, sitting, he casts incense into the thurible, and gives the blessing to the cardinal-deacon who is to sing the gospel. The deacon chaunts it from the xxi. of John; the book is kissed, and the Pope incensed as usual; then the choir sings the versicle: *Mandatum novum do vobis*, &c.

The holy father rises, and the cope being removed by the assistant-deacon, a towel of fine cloth trimmed with lace, is tied on him, and attended by his master of ceremonies and deacons, he proceeds to the washing. A sub-deacon, in a white tunic, without a maniple, attends on the Pontiff's right hand, and raises the bared foot of each priest. The Pontiff kneels, and rubs the foot with water poured by an esquire into a silver gilt basin: after drying which, the holy father kisses it: a towel and nosegay are then handed by one of the deacons to each priest. The treasurer follows with a purse of crimson velvet fringed with gold, and gives to each a medal of gold and also one of silver.

This ceremony exhibits to those who declaim against the holy father, for permitting the faithful to manifest their respect for the commission of the Saviour, with which he is invested, by sometimes kissing his foot, that he is equally disposed to pay the same respect to that same commission, though existing in an inferior degree in others: and not only to those who are thus honoured, but also to all others of his brethren, the fallen children of Adam, covered with those imperfections and weaknesses, which are equally the lot of him that wears the tiara, and of him who is the lowest amongst his brethren, in the most humble monastery of the church. Would to God that our friends would calmly and fully examine the spirit of our customs! It would be seen that it is by no means that of domination or pride; and we might perhaps be again one fold under one shepherd! (John x. 16.)

His holiness having returned to his seat, the towel is removed, and the assistant prince, kneeling, pours water on his hands; the first cardinal-priest presents the towel to dry them; the holy father resumes the cope, intones the *Pater noster*, and recites the concluding prayer, beseeching the Almighty not to despise or overlook the fallen race of men, which is yet the work of his own hands.

Should the Pope not be able to perform this ceremony, he requests of one of the senior cardinals to do it in his name, and, with a very few changes, the same form is gone through.

THE DINNER.

It is usual for the Pope to have dinner prepared on this day, in one of the halls of the palace, for the *Apostoli*, as these priests whose feet have been washed are called. His holiness, if his strength permits, attends to bless the table; and having an apron put on, pours water on their hands; serves them one or two dishes, which are handed to him from the sideboard by prelates, who kneel, on presenting them; then, having given each to drink, he bestows his blessing, and retires. Should the holy father not be able to attend, his place on this occasion is filled by the major-domo.

THE CARDINAL'S DINNER.

It has been generally customary to invite the sacred college on this day, to dine in another hall of the palace, the tables in which are splendidly decorated; the prince-assistant at the throne, as representative of the Roman nobility, is also invited with their eminences. This dinner was given for the convenience of those who resided at a distance; and another object was to bind this venerable body together on this day, in every way, in the closest affection and friendship. After the dinner, it was usual to have a sermon delivered by one of the best orators who had preached in the city during Lent.

THE TENEBRÆ.

The matins and lauds for Friday are recited in the papal chapel; the altar exhibits the desolation of the Saviour's passion; the throne is uncovered, the benches despoiled of their tapestry, no canopy is over the altar-piece, which is covered with violet, and the candles are all of yellow wax. The Miserere is by *Bai*.

The cardinal grand penitentiary goes this evening in state to St. Peter's, where he is

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formally received by four cardinals, and goes to his confessional.

ST. PETER'S.

Similar offices to those of the papal chapel are also performed in their choral chapel by the chapter of this basilic, where the Lamentations and *Miserere* are also deeply affecting. But they have a peculiar ceremony, which is

The Washing of the Altar.

Various conjectures have been given by different writers, respecting the origin and object of this ceremony, which is by no means so common as the others that have been described. Some Dominican and Carmelite friars in their conventual sanctuaries, and some cathedral and other churches have occasionally practised the same rite.

When the canons have sung the *Benedictus in Lauds*, small brushes formed of box or yew, but more generally of bloodwort, are distributed to all the members of this chapel. After this, the six most ancient priests change their vesture, taking surplices and black stoles, the president wears besides these, a black cope: preceded by the veiled cross, having on each side an acolyth, with a candle extinguished, as a token of mourning, they go to the main altar, and kneeling there, they make a short secret prayer. The president, after this, intones the antiphon, "they divided my garments amongst them, and upon my vesture they cast lots." He then goes with his assistants to the altar, and strips it of the cloth, as the Saviour was stripped of his garments; whilst the president and those who assist him are occupied in this ceremony, the choir sings the Psalm xxi. "O God, my God, look upon me; why hast thou forsaken me?" which is so beautifully prophetic of the passion. After the altar has been stripped, wine and water are poured upon it, as emblematic of the blood in which the Saviour was bathed not only in the garden, in his sweat, but at the pillar and upon Calvary; as also of the blood and water that flowed from his side, when after his death it was pierced with the spear. The clergy and their assistants, successively wash the altar with their brushes, gather up the liquid then with sponges, and dry it with towels prepared for the occasion; to all which, several writers extend their mystical explanation, as, for instance, that we should recollect how his body was cleansed, embalmed, and wrapped up in linen cloths, to be laid in the sepulchre.

The antiphon is repeated, after which the Lord's prayer and the ordinary prayer of the office of these days are added. Some of the relics connected with the passion are then exposed to the veneration of the faithful.

Formerly, a large illuminated cross was let down from the cupola, on this and the following evenings: but Pope Leo XII., in consequence of the irreverence and irregularities which took place in the church, ordered the discontinuance of this exhibition.

GOOD FRIDAY.

Has been particularly marked from the earliest period of Christianity as a day of mourning, and of solemn ritual observances: but these ceremonies were not always the same. Down to the third or fourth century, it was usually called the Pasch, the name by which Tertullian calls it, because then Christ our pasch was slain. Eusebius in his history (lib. ii., c. 17,) informs us that the Essenians, or Ascetics of Egypt, gave this time to watchings, sacred reading, fasts, &c.

Gregory of Tours states that the watchings in that place were kept in darkness, until the third hour of the night, when a small light appeared before the altar, (lib. i. chap. 5, de gloria martyrum.) In an old antiphonary of Tours, we are told that the hours were recited by the canons of St. Martin, not sitting in the stalls, but standing around a marble tomb. In other churches the altars were not washed until this day; at Chartres the one that had been thus cleansed, was then rubbed with fragrant herbs; this took place before the consuming of the sacrament; in Autun and other churches, it was after the consumption. In some places, as at Salisbury in England, they constructed a sepulchre, to which the crucifix was carried in procession, and the figure of the Saviour was laid, as in a state of repose, in the tomb; together with it they placed the ciborium with the Holy Eucharist. In Poitiers they placed the Holy Sacrament in a corporal, which being carefully folded, was enclosed between two patens, and a golden cross was laid on them; the whole was then carefully rolled up in clean linen, and laid in a sepulchre, together with holy water and incense; the door of this repository was locked, and five persons were left in charge of this deposit, and of the multitude of lights with which it was surrounded. The fourth Council of Toledo, at the beginning of the seventh century, notices a great negligence of several Spanish churches, which were closed altogether on this and the following day. The sixteenth Council

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of Toledo mentions that no priest was permitted to celebrate Mass on either of those days. And the Gothic missal gives no office save that of the distribution of the passion through all the hours. Pope Innocent I., in his epistle to Decentius, about the year 410, states that there was no celebration of the eucharistic sacrifice on this day, nor upon the next, not only through grief for the Saviour's death, but in remembrance of the terror of the Apostles who concealed themselves. The reason of these several rites is easily understood.

On this day, the Papal chapel presents to the beholder lessons of grief and penance. The altar is stripped, the platform without a carpet, the benches uncovered, the throne naked; the candles are yellow. The cardinals come in purple stockings, collars, and stiff cappas: they wear no rings, the attendants have their maces reversed; no salute is paid either by the cardinal who enters the choir to those who have previously arrived, nor by his brethren when they see him enter. The bishops and other prelates lay aside their purple collars and stockings, and wear black, nor have they rings. The cardinal grand penitentiary, or whoever takes his place as celebrant, enters in black vestments, with his deacon and subdeacon also in black. These latter wear chasubles folded in the front. This is a peculiarity belonging to times of penance, and also a remnant of ancient usage; when in the most remote antiquity, previous to the introduction of the dalmatic and tunics as the proper vesture of the deacon and sub-deacon, they wore the trabea, but rolled up at front to have their hands free and unencumbered. Neither lights nor incense are brought.

THE LESSONS AND PASSION.

The Pope enters similarly habited as he was at the *Tenebræ*, save that he also has laid aside his ring. He gives no blessing, but goes to kneel in front of the altar. The celebrant kneels at his left. They pray in secret. Two masters of ceremony spread a single cloth upon the altar, the pontiff ascends his chair, where he sits to read, the celebrant goes to the altar, which he kisses —then to his seat, where he reads. A chaunter sings a lesson from the prophecy of Osee, in which the Lord invites his people to repentance and mercy, and promises to receive them to mercy, when they come with becoming dispositions. In it there is also an insinuation of the manner in which the Mosaic rites and sacrifices were valueless, except so far as they were connected with that of Christ. The counter trebles intone the tract, which is followed up by the choir. It relates also to the passion. The prayer follows, after the old mode of invitation by the deacon, *Flectamus genua;* the sub-deacon then chaunts a lesson from the book of Exodus, describing the institution of the passover, which was a strikingly prophetic figure of the death of the Redeemer. Previous to reading it, the subdeacon lays aside his chasuble according to the ancient custom, but resumes it when he has concluded. The tract is composed of several passages prophetic of the passion. Three chaunters then come habited as deacons, but without dalmatics, to sing the history of the sufferings of the Saviour, as recorded in the Gospel of St. John, who was the only evangelist that was present at the awful transactions, and therefore gave testimony of what he saw. Besides this, the histories given by the other three evangelists had been published on Sunday, Tuesday, and Wednesday. This passion is chaunted as that of St. Matthew was on Sunday,—but that, at the conclusion, the deacon sings without having asked a blessing, and without having lights or incense.

Previously to singing, he lays aside his chasuble, and takes a large overstole, which represents the manner in which formerly the chasuble, in times of penance, was worn by his predecessors in office. The book is not kissed, at the conclusion, by either the Pope or the celebrant.

SERMON.

A Latin sermon is then preached by a minor conventual, who publishes the indulgence at its conclusion, as no confession is made by the deacon—nor does the holy father give a blessing.

Prayers for all Classes and Persons.

This being the anniversary of the great day of expiation, when Christ laid down his life for all mankind, the church commands her ministers, at her altars, to beseech that he would be merciful to all. The form recited is exceedingly ancient. Intercession is made for all orders and degrees, for the whole church, for the holy father as its visible head, for all bishops, priests, deacons, and other clergymen—for confessors, virgins, widows, and all other congregated portions of the faithful—for temporal sovereigns—for catechumens: also, to beseech the removal of error, of disease, and famine, to intreat the liberation of captives, safe return of travellers, health of the sick, and secure arrival at their proper harbours to those who are tossed upon the ocean. In tones of supplication, the church prays

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for the grace of conversion and mercy to those who unfortunately stray in the labyrinths of heresy and schism, that, no longer deceived by the wiles of seduction, they may return to that tender mother from whom they have been so long estranged: for the Jew also, she presents her petition, that, on this day of mercy, that blood which his fathers desired might be upon them and their children, might indeed come upon the descendants in streams of expiation, and not in rills of burning. But, as in mockery his fathers bent their knees before the Saviour, whom they derided as the shadow of a king, when the prayer is this day made, on his behalf, the deacon does not invite the assistants to kneel, nor does the like form of genuflection accompany this, as was joined to the other prayers. Extending her view to the poor pagans who sit in darkness and in the shadow of death, she anxiously supplicates, that, leaving their idols, they too may be brought to serve, in spirit and in truth, the only true and living God, Jesus Christ, who on this day offered himself to be an oblation for their sins.

Grateful affection for the Saviour.

These prayers being concluded, the moment has arrived for entering into the full contemplation of the catastrophe of Calvary. Made less than the angels, we are not pure spirits. Dwelling in houses of clay, our souls are principally affected through the organs of sense, liable to distraction; we need some sensible exhibition to make deep impression on the mind. Paulinus, in ep. 31, ad Severum, informs us. that on this day, in Jerusalem, the bishop produced to the assembled multitude the cross on which the blessed Saviour died: upon that spot, with the very tree on which redemption was effected before them, what must have been the sensations of the race that was redeemed? When the relics of a family are displayed, how do hearts feel? How do tears flow? This is the token of affection given by one who sleeps upon a foreign shore! Here is the emblem of friendship left by another whose eye is closed in death! whose ear is filled with dust! Description would only profane the sacred feelings which are, on such occasions, cherished and indulged by every human breast. The God who formed us, implanted those feelings when he enlightened us with reason; properly regulated, they are not only congenial to that true philosophy which indeed loves wisdom and truth, but they admirably sustain it! And on what occasion could they be more properly and rationally indulged, than when, on this day, the church exhibits to us a commemorative emblem, to absorb our minds in the contemplation of the affectionate sacrifice made by the Son of God for miserable sinners! Can it be, that when we are penetrated with the vast importance to ourselves individually of this atonement, we shall be restrained, by the mockery of reason in the coldness of calculation, from approaching, with sorrow and gratitude blending into adoration, to the very foot of that emblem itself,—there to lift the mind to that heaven which contains Him, whilst here we kiss the symbol of that cross upon which he bled! Forbid it every generous feeling! Forbid it every sentiment of pure religion! Can the adoration of the bleeding God be called idolatry? Can the ardent, the affectionate, the contrite, the penitent recollection of the mysteries of Calvary be irreligion? Can the manifestation of the feelings of our hearts, towards the emblem, where the great original, the beloved Jesus himself is removed beyond our reach, be superstition? But why dwell on such a topic? Nature and religion will be there our best vindication, to the calm, to the reflecting, to the unbiassed, and to the candid. Others may be permitted the exhibition which they too often make in a manner which is equally unkind to the feelings of their brethren, as it is discreditable to their own.

Adoration of Christ Crucified. Veneration of the Cross.

The celebrant, laying aside his chasuble, goes to the epistle side of the altar, towards its back, where he receives from the deacon a crucifix covered with a black veil, and disclosing a portion of its summit, he chaunts, *Ecce lignum Crucis*, behold the wood of the cross! two tenor voices continue, *In quo salus mundi pependit*, upon which the salvation of the world hung. The choir answers, *Venite adoremus*, come let us adore; and all bend their knees: coming to the angle, in the front part of the same side, the celebrant uncovers the right arm, and in somewhat of a higher strain, the same passages are sung, and the same answer is repeated. Then going to the middle of the platform, in the front of the altar, the celebrant exhibits the entire figure, and in a higher tone repeats the phrases above mentioned, whilst he exposes the symbol of him who was in Judea gradually exhibited as the Redeemer, but lifted upon Calvary, was made manifest to the whole world as the victim of propitiation, by whose bruises we are healed. The

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celebrant then descends and places the crucifix upon a veil for veneration.

Formerly the clergy of most churches came with bare feet to the celebration of the offices of this day; and not only they, but most of the laity paid this tribute of homage to him who was for them stripped of every garment, and after multipled injuries, was led through deriding crowds, to an infamous death. William of Chartres writes of St. Louis, King of France, that bare-footed, and covered with rough garments, his head and neck exposed, this monarch went from his seat on his knees, followed by his children, to the veneration of the cross, and the adoration of Him who suffered upon it. But previously to his coming into the church, the king had made a painful round: for about sunrise, in poor raiment, accompanied only by a few select attendants, he went bare-footed through the paved and muddy streets of the city, to the several churches therein to pray, and giving considerable alms to the poor whom he met. St. Elizabeth, daughter to the king of Hungary, went in like manner, poorly habited and bare-footed, to the several churches of the city on this day, giving some offering at the various altars and large alms to the poor. A great many other similar instances of dignified penitents might be quoted. In the East the custom was nearly universal: all who went in the procession were bare-footed: a very imperfect remnant of the custom still remains in the habit of laying aside the shoes at going to the salutation of the cross. The performance of this ceremony is called the adoration: in which, though the tokens of affectionate respect are given to the symbol, the homage of adoration is paid only to Christ, the incarnate and eternal Son of God. The Pope having risen from the third genuflection at the uncovering of the cross, sits until his shoes are taken off, and if he wishes, as he generally does, the cope also is laid aside. Coming down from his throne to the entrance of the choir, his mitre is there taken off, and he kneels to pay his homages, rising he advances to the middle of the choir, where he repeats this token of respect, and again rising, goes to the foot of the cross, where he bows most profoundly, and an attendant knight, who holds his offering in a purse of red damask silk trimmed with gold, casts it into a silver basin which is on the steps. The choir meantime performs the passages of reproach, in which the mercies of God to the Jewish people, and their return of ingratitude in repaying the Saviour with so many ignominies is enumerated, and at the end of each reproach the τρισαγιον is sung in Latin and in Greek. Holy God! Holy Strong One! Holy Immortal! have mercy on us!!! The cardinals, two and two, follow the example of the holy father; they are followed by the bishops, and with the exception of the generals of religious orders, no others besides these take off their shoes. The other members of the chapel go to the veneration of the cross in the same order they went to receive the palm on Sunday: formerly this rite was performed in silence, but the custom of singing has been for a considerable time in use; though, indeed, this usage may be considered modern, as not being yet five hundred years old.

Procession to and from the Pauline Chapel.

The ceremony of the adoration having terminated, the chaunters go into the *Sala Regia*, and take their places near the gate of the Pauline Chapel. The esquires lead the procession, which goes in silence from the Sistine; they are followed by the procurators-general, the private chaplains, the consistorial-advocates, the private chamberlains, the voters of the signature, the clerks of the chamber, and the auditors of the Rota. The sub-deacon follows with the cross uncovered, between two acolyths with lighted candles: after them come the cardinals, followed by the celebrant; the Pope comes next; the prelates of the *fiocchetti*, that is, the governor, the auditor of the *camera*, the major-domo, and the treasurer. The prothonotaries precede the generals of the religious orders, who close this array.

Being arrived at the Pauline chapel, the esquires have their torches lighted. The Pope kneels to adore the Holy Sacrament. The sacristan receives the key which, on the preceding day, he had given to the cardinal grand penitentiary, and ascending to where the sacrament is kept, unlocks and opens the door. Meantime the holy father having cast incense into the thurible, perfumes the host. The sacristan takes the sacrament, and gives it to the cardinal, who, coming down, presents it to the sovereign Pontiff, upon whose shoulders a rich veil is placed, the extremities of which are brought over the sacred vessel which he holds; and the procession begins to return, the choirs singing in alternate verses the hymn, *Vexilla regis prodeunt*. The assistant bishops meet the Pope at the gate and sustain a canopy under which his holiness proceeds. Upon entering the Sistine chapel, the choir retire on either side of the chancel, until after the holy father has passed: as he enters the chapel, they take up the verse, *O Crux ave spes unica*. Every person kneels as he passes with the Holy Sacrament. Upon his arriv-

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ing at the platform, he gives the vessel which contains it to the celebrant, who places it on the altar; the deacon removes the veil from the shoulders of his holiness: having put incense into the thurible and perfumed the sacred host, the Pope returns to his seat, where he again blesses incense for the use of the celebrant, and stands uncovered.

Mass of the pre-sanctified.

The church, as has been previously observed, does not consecrate the eucharist on this day: but in order to show forth, in some manner, the death of the Lord upon the great anniversary of his atonement, a host consecrated on the previous day, and which had been reserved, is now brought to the altar to be there consumed. It has been consecrated previously, or pre-sanctified, hence the ceremony which now takes place has its name.

The sacrament having been taken from the chalice, is laid upon the altar, the deacon puts wine into the vessel, and the subdeacon mingles water with it, not for the purpose of consecration, but of ablution: after having been covered with the pall, the celebrant incenses the offerings and the altar, in the usual manner; but at every time that he passes before the Holy Sacrament or arrives where it is, he bends his knee, and when he washes his hands before the altar he faces rather towards the middle than the front, to avoid turning his back upon the Holy Eucharist. After a short prayer of humility, which he says bowing down before the altar, he turns to ask the prayers of his brethren by the *Orate fratres:* he then chaunts the Lord's prayer and its sequel, as in the ordinary Mass: at the termination of the prayers, he makes the proper reverence to the Holy Sacrament, then holding it over the paten, elevates it with one hand, during which the Pope and attendants kneel: after this he divides it in the usual manner, putting one particle in the chalice; and makes his preparation by saying the last of the usual prayers before communion: then striking his breast and repeating the *Domine non sum dignus*, he takes the Holy Sacrament, afterwards the chalice with its contents. All rise from their knees, the lights are extinguished: the holy father, being mitred, returns to his seat, and he and the attendants sit. The celebrant takes an ablution from the chalice, which is then purified; he washes his fingers at the corner of the epistle, says a short prayer of thanksgiving, and departs.

Vespers.

The vespers are said in choir: they consist of five Psalms and their antiphons: the canticle *Magnificat*, of the blessed Virgin, as in St. Luke, from c. i., 46 to 56, with its antiphon the Psalm l. *Miserere*, and the usual prayer.

The Dinner.

When the cardinals dine at the Papal palace on this day, the preparation and fare are far more simple than those for Thursday; and the preacher who delivers the sermon does not declaim from the pulpit, but seated on an ordinary chair on the floor.

The Tenebræ.

The matins and lauds for Saturday are said in the evening. The third lesson of the first nocturn is the prayer of the prophet Jeremias, those of the second nocturn are a portion of the commentary of St. Augustin on the Psalm lxiii., those of the third nocturn are the admirable passages of the epistle to the Hebrews, commencing at ix. 11, and continuing to the end of verse 22. The antiphons, responsories, and indeed the whole office, now regard the burial and repose of the Saviour. The sentiments which the church wishes to inspire, are those of hope mingled with the grief and contrition which, she trusts, have been previously excited.

The Relics.

Among the relics kept in the church of St. Peter, are three very remarkable objects. The veneration in which they should be held would be questioned by few, if their authenticity were sufficiently established. The conclusion to which each individual will arrive after a calm and deliberate examination, is to be for him the rule to guide his devotion to each especial case of this description. Some ecclesiastical tribunals have been from time to time established and remodelled for the purpose of examining the testimony, reporting their opinions, and giving to the holy father the best aid that jealous scrutiny, and scientific research could afford, so that he might be enabled to give to his children some rules of enlightened piety in regard to special relics. It has been fashionable to decry indiscriminately every devotional practice of this description, and to cast ridicule upon the several observances of the church respecting relics. It has been often loudly proclaimed that the acts of the clergy were but combinations of fraud and folly, and frequently strangers, who never examined the grounds of our practice, were the first to condemn and the most unsparing in their vituperation. Is this rational?

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Far be it from any Catholic to insinuate that the testimony of even the sovereign Pontiff, respecting the authenticity of relics, is of equal authority with the records of the Gospel; or that devotion to any special object of this description, is a necessary part of religion! But notwithstanding all that has been said and written upon the subject, by the enemies of this devotion, we must say, that in almost every instance, which came under our view, there was a sad mistake regarding principle, and gross error respecting facts. It must be admitted that occasionally, some few instances of superstition might possibly occur; but what good custom can be found without its accompanying abuse? Men have profaned the sacraments, and have turned the most venerable and simple acts of religion to the very worst purposes; and every well-regulated mind instantly admits, that in the whole category of sophisms, a more despicable one cannot be found, than that which could conclude against use, because of abuse. Our principle regarding sacred relics is, that in religion they are to be held in a veneration, corresponding to that in which tokens of affection, and memorials of endearment, are preserved in well-regulated and virtuous families. How often is some delicious feeling indulged apart from the intrusion of the stranger, regarding that which to him would appear a trifle? A ring, a book, even a lock from that head which in life was so dear, but now lies in death! No! Words cannot express what the soul indulges! Had you the garment which the Saviour wore! Had you the seat on which he rested, when fatigued from his journey, he conversed with the woman of Samaria! How many persons have, during centuries, gone to visit those spots endeared by so many scriptural recollections, by so many divine associations! "How many," said St. John Chrysostom, fourteen hundred years ago, "how many persons say, I should wish to see his face, his clothes, his figure. I should wish to touch him." The same voice of nature speaks this day to the soul of the European in its soft and secret whispers that then did to the spirit of the Asiatic. Yes! these very inanimate objects, these sensible associations bind us by some powerful but inexplicable spell to their great original. Intrinsically, in themselves, they are valueless; but because of this association and its effects, they are to us of inestimable value! Reason assents to the testimony of experience. Our feelings lead, whilst they elevate us. Our reason is useful to check aberrations; but it is quite as unable to penetrate to the source of this inestimable influence, as it is to discover the principle of our sensations themselves. This sentimental piety, properly regulated, is genuine devotion. And surely devotion, which at all times becomes a Christian, is peculiarly appropriate on the anniversary of his redemption.

It is not required that the mind shall give the same full and unhesitating assent to the authenticity of relics, as to an article of faith. In this latter case, God has clearly revealed, and man is consequently bound to believe; in the former, there is no similar evidence, no similar obligation, though there might be even some occasional supernal manifestation, or most respectable evidence of human testimony. But even when only high probability exists, devotion might be thereby created, and all the great religious advantages which are sought, will then arise.

On this evening, the Pope and cardinals, laying aside cope and cappa, come in procession from the Sistine chapel to St. Peter's, and several canons exhibit from the balcony, over the image of St. Veronica, three remarkable relics, which are in like manner exposed several times during these days.

They are believed to be, a portion of the cross on which the Saviour died, the blade of the lance with which his side was opened, and the figure of his face, impressed upon a cloth applied to it for the purpose of pious attention, by one of the daughters of Sion, when he laboured on his painful way to Calvary.

The examination of the critic might be fairly applied, in discussing the evidence upon which their authenticity rests. Neither the nature of this work nor the opportunities of its compiler, nor his occupations permit him now to develope it to the reader. He will merely say, that no tribunal that he ever knew, is more careful in the sifting of testimony, more scrupulous in the admission of documents, more rigid in their close construction, and more cautious in confining all its conclusions strictly within their premises, than that which has examined respecting these relics, and permits their exposition: yet it does not positively assert the absolute authenticity of each. Respecting two of them, that of the cross and of the lance, scarcely the shadow of a doubt can exist. In regard to the other, there certainly is most unquestionable evidence to show, that during upwards of eleven hundred years it has been so carefully preserved, that no reasonable question can be entertained but that it is identically the same, which, at the remote period of the year 707, was then for a time undefined, but believed to be from the days of the Apostles, held in veneration

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as what it is still described to be. Should these relics exist anywhere, it is most natural to expect, that whatever other region might in the first instance possess them, they would in the process of time be brought to the capital of the Christian world. And if it be suspected that on one side there exists a predisposition to admit the authenticity, there can be no doubt, but that on the other side, there is too often found a determination to reject and to condemn every proof, that the Christian has preserved any memorial of his fathers in the faith, or any relic of the great Founder of his religion. Is it not strange that this disposition manifests itself strongly in the very persons who will hang with delight over the remnant of a bath, and undergo a pilgrimage to view the prison of a conspirator, to contemplate a robber's den, or stand upon some spot where, centuries before the Saviour lay in the crib of Bethlehem, a warrior fought or an orator declaimed? And if the rust of ages have not consumed the metals which, buried in the earth, are every day dug up, with the evidence of their antiquity, if coins, and medals, and implements of an era more remote than the origin of our religion, are admitted and preserved as genuine, why shall not the same principle equally apply to the relics of that religion itself? No reasonable ground can be admitted for making any distinction where the evidence is similar.

The portions of the cross which form the relic thus exhibited, had previously to the year 1620, been kept for a long period in Rome, at the churches of St. Anastasia, and that of the holy cross at Jerusalem. In this year they were by Pope Urban VIII. enclosed in a rich silver reliquary finely ornamented with lapis lazuli and chrystal, and placed in the keeping of the canons of St. Peter's. Some of the pieces had then been in this city, during thirteen centuries. The history of the discovery of the cross itself at Jerusalem, by St. Helena, the mother of the Emperor Constantine, a British lady, together with the various circumstances attending that discovery, may be seen in the works of St. Ambrose, Ruffnus, Socrates, Sozomen, Theodoret, St. Paulinus of Nola, Sulpicius, Severus, St. Cyril of Jerusalem, and others.

It is true that Basnage, Spanheim, and some such gentlemen, who lived twelve or thirteen centuries later than the above writers, undertake to assure us that it was all a fabrication or a mistake.

A considerable piece of the cross thus found, was sent to the Holy See, but the principal part was placed in a massy silver case, and kept in Jerusalem. No doubt can possibly be raised respecting the carrying away of that portion from Jerusalem, in the same case in which it was placed by St. Helena after its discovery. It was taken by Chosroas king of Persia, when ravaging Palestine in his war against Phocas and his successor Heraclius, when Jerusalem was sacked in the year 624, and was borne to Ctesiphon, a city on the river Tigris. Zachary, the patriarch, was also with many others made a captive. Heraclius, having pushed the war with vigour, became conqueror in turn, and amongst the conditions upon which he gave peace to Siroes, the son and successor of Chosroas, one stipulated for the restoration of the cross, and the liberation of Zachary, by whom the cross itself was brought to Jerusalem, upon his return in 628. The history of the vain efforts of Heraclius, to carry it through the gate that led to Calvary, until he changed his vesture, is well known. Subsequently, this portion was taken to Constantinople, and placed in the great church of St. Sophia, where it was exposed to public veneration in the holy week. On Thursday, the emperor, the senate, the magistracy, and the men paid their devotions; on Friday, the empress, the widows, the virgins and the other females: and on Saturday, the bishops, the priests and the clergy of other orders. At various times, but especially during the crusades, portions of it were brought to the West, and some of the most remarkable pieces which had been preserved in this sacred city, were also exhibited to the faithful; a large portion which had been brought or sent by St. Helena herself, immediately after the discovery, was kept in the church of the Holy Cross of Jerusalem, near the palace of the Lateran; and about the year 690, Pope Sergius I., had a large piece of it which had been kept in a silver case at the church of St. Peter, exhibited yearly in the church of St. John of Lateran, on the feast of the exaltation of the holy cross.

St. Helena also found the lance at Jerusalem, where it was kept with great care and respect. Amongst others who mention this in after times, are Venerable Bede and Gregory of Tours. Towards the close of the sixth century, it was carried to Constantinople, as is related in the Alexandrian Chronicle, and also proved by Du Cange in his notes upon Anna Comnena. At first it was kept in the church of St. Sophia, but subsequently it was divided; the top of the blade was taken to the imperial palace, and the shaft and remainder of the blade placed in the church of St. John of the Rock. This statement is sustained by a great number of documents. Anna Comnena shows, that in

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the eleventh and twelfth centuries, this relic was, with others, held in great esteem in that city. In the thirteenth century, the Frank emperors who held Constantinople, being in great want of money, borrowed a considerable sum from the Venetians, and amongst other pledges given for repayment, was the point of the lance and other relics which were kept in the palace. Baldwin II., having passed his rights of recovery to St. Louis of France; this latter (as many public documents and credible writers, amongst whom are Du Cange, Matthew Paris, William of Nanges, Du Chesne, inform us) repaid the Venetians and took the relics to Paris. The remaining iron of the lance, was still kept in the monastic church of St. John de Petra, in Constantinople, in 1422; as several writers show, some of whom, as Bondelmont, had seen it.

About thirty-five years afterwards, Constantinople fell into the hands of the Turks, and Mahomet II. carefully preserved all the Christian relics. In 1489, one of his sons, who had been defeated by his brother Bajazet, took refuge in Rome. In 1492, Bajazet, desirous to conciliate the pontiff, sent to him an ambassador with that portion of the lance which had been kept in Constantinople. Innocent VIII. deputed two bishops to receive the relic, at Ancona; they were met upon their return at Narni, by two cardinals, who delivered the lance to his holiness, in the church of St. Mary del Popolo, at the Flaminian Gate, on the 31st of May, in that year; thence it was conveyed in procession to the Vatican.

The ambassador upon the delivery of the relic to his holiness, declared that this was the spear, the remaining portion of which was in the possession of the King of France; and in the middle of the last century, Lambertini, then a canon of St. Peter, afterwards Pope Benedict XIV., procured an exact model of the piece in France, which he declares in his work (*de Canoniz*, lib. iv., p. ii., ch. xxxi., n. 14), upon comparison with that received by Innocent VIII., and kept in St. Peter's, was found exactly to suit it.

The third relic is the figure of the Saviour's face on the towel. The evidence in this case should of course be more extensive than in either of the former, because it is not only necessary to prove the identity of the relic, but also the truth of the transaction, whereas the facts of the crucifixion, and of the opening of the side with the spear, are on all hands admitted to be notorious. The history in this case seems to be complete, and to some of the best critics the truth of the occurrence and the identity of the towel, appear to have been unquestionably established, and are generally admitted.

In the church of St. Praxedes, at this time, a column is also shown, which is said to be that at which the Saviour was scourged. The column itself was well known in Jerusalem, and is mentioned by St. Jerome in the beginning of the fifth century. Ep. 108. That which is now in the church, whether the entire or only a portion of that which St. Jerome mentions, is uncertain, was brought from Jerusalem in the year 1223, by John Cardinal Colonna, in the time of Pope Honorius III., and its identity appears to be fully sustained.

SATURDAY BEFORE EASTER.

The ceremonies of this day are less solemn in the papal chapel, than those in the church of St. John of Lateran; because in the latter, besides the usual rite, the sacrament of baptism is administered, and an ordination takes place. But as it was quite impossible within the short time that circumstances allowed for this compilation, to treat of those subjects as they deserve; and as the bulk of the work would be so greatly increased, that it could not be printed in sufficient time, it was thought better to confine the explanation for this day, to what takes place in the Sixtine chapel, which, as far as it goes, will also answer for other places.

Blessing of the Fire and Incense.

The ancient custom was, to spend the morning of this day in the last examination of the catechumens, who were preparing for baptism; and those found competent, received the final instructions, at intervals before evening. Towards sunset, preparations were made for then beginning the office, which lasted until midnight; previously to its termination, baptism and confirmation were administered; then Mass was celebrated, communion was given, and the faithful either remained through the night, or returned home to take some refection and rest, and to prepare for coming back at an early hour in the morning. Hence all the offices refer to night, and terminate with evidences of the resurrection, which took place at a very early hour, towards day-light of Sunday. The custom of having the offices early in the day, is but a departure, within six or seven hundred years, from the ancient and more strict discipline.

The lights having been all extinguished, it became necessary to procure the means of again illuminating the place, which had been thus left in desolation. The mode of procuring it was not everywhere the same.

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In some churches where they had not extinguished the upper candle, this was kept for the purpose of renewing the other lights, in others they kept three large lamps concealed, as emblematic of the three days that the Saviour's body lay in the sepulchre, and they renewed the others from these, as significant of the resurrection. Where all the lights had been extinguished, they in a few places had recourse to ordinary fire, but in others they either produced it by means of a burning-glass, from the sun, or struck it from a flint; as signifying in the first place, the orient on high; in the second the rock, according to that of St. Paul. (1 Cor. x. 4.) Where this extinction took place on each evening, they generally produced this new fire on each succeeding day, and as it was usual to sanctify every creature by the word of God, and by prayer, a blessing was pronounced over it. In Florence the fire is struck from flints brought from the holy sepulchre at Jerusalem, in the time of the crusades.

The Roman church was one of the last to adopt this ceremony of a special blessing for Saturday. In 750, Pope Zachary, writing to Boniface, Bishop of Mayence, mentions the custom in Rome of having the three lamps, but assures him that the Romans knew nothing of the practice which elsewhere existed, of using burning glasses; but in the first Roman order, the custom of striking the fire from flint, is mentioned for Thursday, when there was a blessing for the fire. There are, however, abundant evidences of the ceremony having been in use long previous to this, on Saturday, in other churches. Leo. IV., a century later, mentions the custom then established in Rome, of producing fire from a flint on Saturday and blessing it. Then all the old fires were extinguished, and new ones were kindled from this, to signify the resurrection of Christ from the grave, and to exhibit the progress through the world, of that fire which he came to cast on the earth. (Matt. xii. 49.) At present in the papal chapel, this is done in the vestry room at an early hour: in most other churches, it is done in the porch. Five grains of incense are also blessed for the purpose of being put into the paschal candle. The acolyth then takes some coals of the fire that has been blessed, and puts them into the censer, upon which holy water is sprinkled, and the celebrant casts incense upon the coals with the usual blessing.

The New Light.

The remaining part of the ceremony takes place in the chapel, whither the cardinals come in cappas of purple silk, but the attendant who precedes them has his mace reversed. During the previous benedictions the celebrant wore a purple cope. He prepares for the ceremony in the chapel by laying that aside and wearing violet vestments for Mass. The deacon who is to bless the paschal candle, wears a white stole, with a maniple and dalmatic of the same colour; the sub-deacon, however, continues to wear his violet chasuble folded in front.

The cardinal celebrant comes thus attended to his usual seat in the chapel, then puts incense into the censer, and blesses it in the ordinary way; after which his attendants go to the Pauline chapel to bring the light, incense, &c. On their return, two mace-bearers precede; they are followed by an acolyth, with the five grains of blessed incense on a plate or salver; on his left is another with the censer; then the sub-deacon with the cross; the deacon follows with a long rod, on the top of which are three tapers parting from a common stock; on his left is a master of ceremonies with a candle lighted at the new fire; after these are two other acolyths.

Though it is impossible by any sensible exhibition to express mere insensible objects, yet those means might be well used as helps to bring us rather to the contemplation, than to the knowledge of spiritual things. The great body of mankind, for whose instruction the ceremonials of religion should be chiefly fitted, have more need of these aids, than have the well-informed and the contemplative. The impression made by a sensible exhibition remains doubly permanent, by reason of the hold which it takes upon the imagination as well as the memory, and the lesson which it is calculated to teach cannot be easily lost, when it has been once acquired. This is the great object of the church in her ritual services. She now desires to inform us that the light which the revelation of the Saviour gave to the world, has made us more fully and more clearly acquainted with the great mystery of the triune God, than were the patriarchs or even generally the prophets who existed before that period, when after having triumphed over death, he during forty days conversed with his Apostles concerning the church which they were to establish; (Acts i. 3,) and enabled them to understand many things that before they could not bear. (John xxvi. 12.) The nature of the Godhead is but one, yet it is whole and entire in each person of the blessed Trinity; and this was then clearly taught to them by the blessed Jesus.

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Being arrived at the door of the railing, the master of ceremonies lights one of the tapers, upon elevating which the deacon sings, *Lumen Christi*, the light of Christ. All except the sub-deacon who carries the cross, bend their knees at the sacred name, to pay homage to him who reigns over the heavens and the earth. The choir answers *Deo gratias*, "*Thanks be to God.*" At a station more advanced, the second taper is lighted, as was the above, and, at the foot of the throne, the third is lighted, and with the like ceremony; but at each time the deacon sings upon a higher key. The third being lighted, he gives the rod to an acolyth, and taking the book which contains the proper canticle, he prepares for the

Blessing of the Paschal Candle.

This candle is very large and formed of wax. The ceremony of its introduction is most ancient. Pope Zozimus, who came to the papal chair in 417, extended to all the parish churches the faculty of performing, in this instance, the ceremony that had been previously confined to the basilics; subsequently it has been extended to other churches. The appearance of this candle, is that of a large pillar, which by mystic writers is first assimilated to the cloud, but when lighted to the pillar of fire that guided the Hebrew people in the desert on their journey to the land of promise. It represents the true leader of the Christian host through this land of their pilgrimage, to that country which the Lord promised as the recompense for their faithful observance of his law. It also is an exceedingly appropriate emblem of the manner in which the catechumens coming out of the land of darkness, and from under the thraldom of sin are thereby led through the waters of baptism to that place, where, during their journey to the heavenly regions which they seek, they shall be fed with the sacramental manna of the eucharist. It as yet exhibits Him as extinguished in the tomb, but it will speedily show Him forth as returned to life, and enlightening with knowledge those in whom He kindles hope, and whom He warms into the ardour of devotion.

The deacon having received the blessing which he besought from the celebrant, after having had the incense blessed, goes to a desk where he places the book, which he thrice incenses. On his right are the sub-deacon with the cross, and an acolyth with the thurible; on his left are two acolyths, one of whom holds the rod with the lighted taper, the other has the blessed grains of incense. All now rise whilst the deacon sings the beautiful canticle *Exultet*, generally supposed to have been written by St. Augustin; some, however, attribute it to St. Ambrose, some to St. Leo, and others to Peter the deacon. The fourth Council of Toledo informs us (chapter viii.) that this ceremony is now a symbol of the reanimation of the body of Jesus, and five holes made in the candle, in the figure of a cross, represents the five principal wounds inflicted on our Victim.

The blessings of the church are usually performed by a priest or bishop; but this is one of the few which is given by a deacon; but for a sufficient reason. He is vested in white as the angel announcing the resurrection, whilst the others, by their violet, still show the grief and dread of the Apostles and disciples. St. Augustin reminds us (Sermon 232, alias 144 *de tempore*,) of the fact, that the resurrection was announced by an angel to the pious women, who conveyed the tidings to the Apostles; that as by a female the human race fell, so through the Virgin redemption came; and as by females the resurrection was made known. thus it is a lower minister of the church, who takes the place of these personages, by announcing the fact to the superior orders of the hierarchy, in the blessing of this candle. And as it was not the Apostles, but the disciples, that embalmed the body, (John xix. 40,) so this lesser minister as their representative, places the five grains of incense as an embalming in the holes which represent the wounds. At the proper time during the canticle, he lights the candle, which thus burns at the principal public offices, until the festival of the ascension; to show how Christ remained conversing with his Apostles and disciples, extending their knowledge whilst he cheered them with his countenance, until on that day on which the Gospel proclaims his ascent, it is extinguished. Soon after the lighting of the candle, the lamps of the church are also kindled.

There was an old custom in some churches, of which Bede among others inform us, of inscribing on this waxen column the date of the year from the resurrection, which he says, (*de temporum ratione*, c. 45.) some of his brethren saw in Rome at Christmas, the year DCLXVIII., to which adding the Saviour's age of 33, would give us the year 701. Martene furnishes several of those inscriptions, which exhibit a perfect calendar of the movable feasts and other dates. Afterwards, a long label, on which they were inscribed, was attached to the candle, and when printing was introduced, our directories, or church almanacs were substituted therefor.

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The Prophecies, &c.

Formerly, when several catechumens were to be baptized on this day, the clergy, having examined them, spent the time that was not otherwise occupied, in giving them instruction; and not only after, but before lighting the paschal candle, many portions of the Scriptures were read for this purpose. Prayers, having generally special reference to the catechumens, were said from time to time also, throughout the day; but when the number to be baptized was reduced to a very few, and the time for performing the office was changed to the morning, the custom began in Rome of having ordinations on this day. The number of lessons, which are called prophecies, because they are chiefly taken from the prophetic books, was fixed at twelve, and were all postponed until after the paschal candle was blessed; the prayers were retained with the usual form of *flectamus genua*, except before the last, and tracts were sung after the fourth, the eighth, and the eleventh. In some places, the number of lessons was greater, in others, there were not so many.

The deacon lays aside his white vestment, and takes violet, and being seated, he reads the prophecies, whilst they are chaunted by choristers succeeding each other in the middle of the chapel; at the termination of each, the celebrant rising, and turning to the altar, sings *Oremus;* the deacon *Flectamus genua;* and the sub-deacon, *Levate*, after which, he sings the prayer. The tracts are also sung at the proper times. Formerly the lessons were sung in Greek as well as in Latin. This custom had been long discontinued, until the time of Benedict XIII., [more] than a century since; however his successors have not followed up the practice.

In churches where there are baptismal fonts, they immediately after the prophecies had been read, proceeded to bless the water for the great regenerating sacrament; after which such persons as were in readiness, whether adults or infants, were baptized. This is, of course, omitted in the papal chapel, and the litanies of the saints, which in the other churches are said after the baptism, are immediately sung.

The Litanies and Changes.

Taking off his chasuble, the celebrant and his assistants prostrate themselves before the altar, whilst an invocation to the saints, and appeals to the Almighty God for his mercy, are made. At the petition *Peccatores te rogamus audi nos:* "We sinners do beseech thee to hear us:" the deacon and sub-deacon retire with the assistant priest. They return to the chapel in white vestments, and the celebrant rising goes to the place where his corresponding robes lie, he puts off the violet and takes those befitting the paschal time.

The candles upon the altar, and upon the balustrade are now lighted. The Pope's chair is stripped of its penitential drapery; the violet is removed from the front of the altar. The cardinals, too, put off their violet cappas and take the red; for now the church begins to commemorate the resurrection. If Neophytes were present, their candles also would be lighted at this time.

The Mass.

The Pope, who seldom makes his appearance in the chapel until this moment, now enters wearing a white cope and mitre; proceeding to the foot of the altar, he makes the usual commencement of the Mass. But there is no introit, because all have been for a long period present, and as the old usage was to sing this piece at the entrance, it is of course omitted; since this night, no entrance was at this time made. The Pope being again mitred ascends to his throne, and the celebrant goes to the altar, whilst the choir performs the *Kyrie eleison.* The cardinals pay their homage to his holiness. As soon as the first cardinal-priest has done so, he has the incense blessed, which is then taken to the celebrant, and the usual incensing is gone through. As soon as the *Kyrie eleison* is finished, the celebrant intones the *Gloria in excelsis.* The veil is now removed from before the altar-piece, which represents the resurrection; the trumpets in the hall salute, the bells are again heard, and the guns of the castle of St. Angelo proclaim the festival.

After the epistle has been sung, another sub-deacon, accompanied by a master of ceremonies, kneels at the foot of the throne, and rising addresses the Pope, *Pater sancte, annuntio vobis guadium magnum, quod est, Alleluia.* "Holy father, I announce to you great joy, that is, Alleluiah." After which he retires. The tract, however, is blended with the gradual, because though Christ has arisen, he has not yet manifested himself; for the same reason, no lights are carried at the singing of the Gospel; nor is the creed said because the rite of this day is more ancient than the period of its introduction; and also to show that the faith was not yet fully established.

On this night, the offerings were made before the baptism, and of course long before the Mass commenced, and on that account, as well as because of the antiquity

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of the special ceremonial, no offering is said or sung. Another reason has been added, viz., to signify the silence of the holy women going to the sepulchre. The trumpets again sound at the consecration; but no *Agnus Dei*, &c., is said. This appeal to the Lamb of God was introduced by Pope Sergius about the year 700, and the form of this special liturgy is much more ancient; the same mystic reason, viz., to signify the silence of the holy women, is also given for this, by some writers. No *pax* or kiss of peace is given, because Christ had not as yet appeared to his disciples, giving them the salutation of peace, (John xx. 19.) Another reason is also given, viz., that this Mass being celebrated at night, as it were to conclude the baptismal rite, and to have the holy communion given to those who had been, after their initiation, confirmed, the great celebration of the festival was postponed until morning, when coming early to the church, the faithful kissed each other, with a new salutation, *Christ has arisen.*

Vespers.

After the celebrant has communicated, and taken the ablutions; vespers are chaunted in a very short formulary. The psalm cxvi. with the doxology and the antiphon of three alleluias; after which the *Magnificat* with its proper antiphon is sung, whilst the altar is incensed, as are also those who assist. The celebrant, after the usual salutation, sings the prayer, after which he repeats the *Dominus vobiscum*, and the deacon adds two alleluias to his *Ite missa est*. The pontiff gives the usual blessing, the celebrant publishes the usual indulgence, and the cardinals and others retire.

EASTER SUNDAY.

The Pope celebrates high Mass this day, with great solemnity, in the church of St. Peter. There are only three festivals through the year on which this is performed, viz.: Easter Sunday, the festival of St. Peter and St. Paul, and Christmas day. Strangers who desire to understand what is done, should endeavour to become well acquainted with the nature and objects of the ceremonials belonging to the usual high Mass, as explained in the first part of this little compilation; otherwise the remarks which follow will be of very little use, as they are intended merely to supply what is special in this day's celebration. It will also be necessary for them to review the description, given in the beginning of this part, of the several attendants, their duties, offices, and places, if they would understand the procession and attendance.

The cardinals and prelates as well as the other members of the chapel are accustomed to assemble on this morning at half-past eight o'clock in the *sala ducale* and *sala regia*, there to form the procession which accompanies his holiness to the church. The line of its movement is from the royal hall or *sala regia* down the royal staircase, *scala regia;* from the statue of the Emperor Constantine it turns to the right, into the porch of the church: upon entering the porch of St. Peter's, or if the holy father only comes from the chapel of the Pieta, upon entering the church, the entire chapter ranged in two lines, receives this procession, which passes through their centre. On the right hand, are the cardinal arch-priest, with his vicar and all the canons; on the left are the beneficiaries, the Innocentine chaplains and beneficed clerks all in their choral robes. As soon as the Pope appears, the choristers intone, *Tu es Petrus et super hanc petram ædificabo ecclesiam meam, &c.* "Thou art Peter, and upon this rock I will build my church, and the gates of hell shall not prevail against it, &c." The large bells add their chime to the scriptural salutation, and the military bands stationed in the portico swell the notes of gratulation to the two hundred and fifty-seventh successor of that Apostle, to whom the Saviour of the world first made this declaration! Eighteen centuries have passed away since the supreme apostolic commission was bestowed; that commission shall continue in full force, until the world itself shall be destroyed. The events of the days gone by, are the exhibition of what may be expected in the days to come. In the midst of convulsions and ruin; in the palace, or in the prison, amidst the wreck and renovation of human institutions, everything around changing, yet itself unchanged, this rock, placed by the eternal hand, shall continue, as the foundation of the Christian edifice.

In the church, the grenadiers, the national troops, and capitoline guards are drawn up in opposed files, between which the entire array proceeds towards the altar.

When the holy father arrives opposite the

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chapel of the Holy Sacrament, the cortege halts, he descends from his chair, and the second cardinal-deacon takes off his tiara: his holiness kneels at a stool covered with crimson velvet and gold, to adore the sacred host which is exposed: the cardinals also kneel at benches covered with tapestry. After a short prayer the Pope goes to his chair, the first cardinal-deacon puts the tiara on his head, and he is borne to the foot of the altar, where he again comes down, and kneels to pray for a moment, before he goes to the throne that is placed on the epistle side of the choir: there he receives the homage of the cardinals, patriarchs, archbishops, bishops, mitred abbots, and penitentiaries.

Before proceeding farther, it may be well to give in this place a few explanations respecting objects and circumstances that for the first time come fully under our view.

The TIARA, or triple crown, is not, properly speaking, so much an ecclesiastical as it is a royal ornament; it is supposed to have been first worn only with a single coronet, by Pope Sylvester, in the time of the Emperor Constantine. Innocent III., about the year 1200, writes, that the church gave to himself a crown for the temporal dominion and a mitre for the priesthood. It is generally thought that Boniface VIII., about the year 1300, was the first who added a second coronet to show the spiritual supremacy and the temporal power united; and about twenty years afterwards, John XXII., or according to others, Urban V., more than sixty years later, placed the third coronet upon it, thus making a tiara to exhibit the pontifical, the imperial, and the royal authority combined. To the wearer and to the beholder instructive lessons are taught, the one and the other are admonished that the head upon which it is borne is supposed to be endowed with proper science as it certainly possesses power of government, and spiritual jurisdiction; and the variety of its knowledge should emulate the beauty of that decoration which is externally shown.

The LARGE FANS or *flabelli*, are now preserved not merely for ornament; but as memorials of ancient usage, and they have also their mystic meaning. The apostolic canon xix. directs that at Mass, a deacon at each side of the altar shall use a fan, or brush of peacock's feathers, to keep the place free from insects. Hildebert, bishop of Tours, when he sent one to a friend, remarks upon its mystic meaning (in ep. 7. alias 8.) where he advises, that as the annoyance of these insects was thereby prevented, so he that used it, should endeavour to banish the distractions of idle thoughts from the mind of him who approached to offer the holy sacrifice. The eyes in the peacock's feathers of which it is formed, admonish the pontiff that a general observation is fixed upon him, and show the necessity of circumspection in his own conduct. The Greeks call it ριπιδιον, and give it to the deacon with a suitable admonition at his ordination. It is also mentioned in the liturgies of St. Basil, of St. John Chrysostom, and in several other Greek and Syriac documents. In the West we find it noticed in the constitutions of Cluny as well as in several ceremonials. In the life of St. Nicetas in Surius we find St. Athanasius, whilst he was a deacon, employed in using it. In the East, they formed the fans in many places like the winged seraphim, and used to add several other mystic lessons to those here touched upon.

The CROSS was in ancient times carried before the Pope, when he went to the stations of the city, to celebrate at the several churches: that now carried is called the *vexillum*. As the *labarum* was carried before the emperor, so is this carried before the pontiff, who should glory only in the cross, and always have Christ crucified before his eyes; for this purpose, the figure is turned towards him; as also to signify that the same Saviour who promised that the gates of hell should never prevail against that church, which He should build upon Peter, regards him in His providence, and will keep His promise; for though a woman should forget her infant, so as not to have pity upon the son of her womb, yet will He not forget that church, which by the very nails upon the cross, was graven in his hands. (Isaias xix. 15, 16.) Heaven and earth shall pass away, but his word shall not fail. (Matt. xxiv. 35.)

The CHAIR on which the holy father is borne has been awarded to his predecessors and to him by the affection of their flock; it has not been called for by their ambition. In 751 the Roman people bore Stephen II. upon their shoulders to the basilic of St. John of Lateran after his election. In 1831 the Roman people took Gregory XVI. in triumph through their city. In the long interval of nearly 1100 years how many instances does the Papal history furnish to us of similar manifestations of affectionate attachment! However the disaffection of a few, and the bad principles of others might create transient difficulties in the administration of the state; no people under heaven enjoy a more mild and paternal government than do the subjects of the holy father's temporal dominion. Their industry is free, their taxes are light; they have not, as has

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happened to others, been mocked with the semblance of a constitution, which only shields the oppressor whilst he scourges them at home, and calumniates them abroad. No, the mild and affectionate sway of the Holy See may indeed appear somewhat deficient in energy, but it is never even unkind. If then the people desire to show the estimation in which they hold their sovereign, when, on three or four solemn occasions, he is borne in this chair, they do only that which is habitually done by the people of the British Empire, for their representatives in parliament, and in several instances, occasionally, for some of their magistrates, and other popular favourites. They do only, what the children of this spiritual father through the world would unite with them in performing, with feelings of well deserved affection for their apostolic head. The warriors of old raised their generals upon their shields, and bore them thus aloft, as a token of esteem and attachment. And if the people of the Roman States desire to manifest their affection for their paternal ruler, and the Christian world is anxious thus to elevate their bishop of bishops, these are strong evidences of the papal deserts, but not of papal ambition.

The procession, from the very earliest period that the cessation, or even the mitigation of persecution allowed it, was the usual mode in which the bishop was conveyed, in every church, to celebrate the solemn Mass. Tertullian, who lived in 250, adverts to it in his work *Ad uxorem*, lib. ii. c. 4, and in that *de præscript.*, 94. St. Ambrose in the year 388, St. Augustin in his book *de civ. Dei*, *l.* xxii. 8, St. Leo, and many other very early writers, who all describe its great solemnity, and many of them its splendour. The present rite in this grand procession, has been very little changed since the fourteenth century. Formerly two acolyths carried the Holy Sacrament before the Pope, to the altar; now this is not done, but the holy father stops at the chapel where it is exposed, to pay his adoration.

The vesting used to take place in the sacristy, where the pontiff laying aside his outer cloak, put on the sacred decoration; now the Pope robes at a throne which is placed at the epistle side, as a substitute for the sacristy.

These vestments have all been enumerated and explained in the first part of this compilation, with the exception of three, two of which are peculiar to the holy father: these are: first the *Fanon* which is a word of German origin, signifying a veil or banner. This was by old writers called *orale*, though probably it was not used by any pontiff before Innocent III., about the year 1200, and is by some eminent liturgical writers, believed to have been then substituted for the amict, as they then began to wear this latter, inside the alb, whereas formerly it was outside: the fanon is of very thin silk striped of four colours, and edged with gold lace: it is double, and the inner half being put on like a tippet over the alb, the corresponding duplicate is brought over the Pope's head, until after the chasuble is put on, when it is turned over the entire of the other robes, thus coming round the back, chest, and shoulders. The other ornament which is peculiar to the Pope is called a *succinctorium*, and resembles a maniple, upon which there is embroidered the figure of a lamb bearing a red cross; it hangs to the left side, being fastened by a cincture, and is a substitute, according to some, for a purse formerly carried for holding money to be distributed as alms. According to others, it was only a resemblance of the ends of a riband, formerly worn by most bishops as a cincture over the alb, and which was called *balteum pudicitiæ*, or "belt of modesty."

This is still worn in a few churches, but the succinctory is peculiar to the Pope. The bishops and some other dignitaries in the East wear one, or two cases, of a lozenge form, depending at the side, as purses: they seem to have an affinity to this *succinctorium*. The other is the *Pallium*, which is an exceedingly ancient ornament: for many centuries it has been made of wool shorn from the lambs that are blessed on the festival of St. Agnes, and after having been spun, wove, and formed, the ornament itself is blessed by the Pope, on the eve of the festival of SS. Peter and Paul: after which it is left upon the tomb of the apostles at the confession of St. Peter, whence one is sent upon his application, to an archbishop, or other privileged bishop to be worn on certain days within his own jurisdiction, as symbolic of the greater fulness of apostolic authority. But the Pope can wear it every day, and in every place.

It is a sort of *torques* or band of honour, on the neck with pendants before and behind, to show the double care of the apostleship, through fidelity, in which the true honour is to be obtained: the crosses which now decorate it are black, formerly they were red or purple, and pins are fixed in them to represent the nails by which our Saviour was fastened to the cross; but, in more ancient times, it is reasonably conjectured that they were used merely to fasten this to the vestment.

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The Pope uses no crosier, unless he should be in the diocess of Treves: for it is said that St. Peter gave his staff to St. Eucherius, its first bishop, who having laid it upon the body of St. Maternus, his companion and successor, he was thereby restored to life: as the sick were healed by the handkerchiefs which had touched the body of St. Paul (Acts xix. 12.) and by the shadow of St. Peter, (Acts v. 15.) Another reason is also given, viz.: that the crosier being bent at its summit shows a restricted jurisdiction, whereas that of the sovereign pontiff is unlimited. There can be no question, however, but that the holy father formerly received, on the occasion of his inauguration, a *ferula* which served the purposes of a crosier; but whether it was originally bent or not, is a question now not easily solved.

Commencement of the Office.

After the homage the pontiff has his mitre taken off, and standing, he repeats the Lord's prayer, and the angelical salutation in a low voice; then making the sign of the cross, he intones the *Deus in adjutorium*, &c., "O God come to mine aid," which the choir answers, and they continue the office for the third hour, whilst the holy father reads a preparation for Mass, during which the proper attendants put on his sandals. Being divested of his cope, the sacristan who stands at the altar sends to him the vestments, successively, by the hands of the voters of the signature, and abbreviators of the park: and he is vested by the cardinals who assist to the throne, after which he concludes with the prayer of the hour, and blesses the incense.

The officers of the altar now go forward to the left, towards the large throne which terminates the choir, and then turning to the right, they face to the altar, and approach it in the following order, viz.:

The *thurifer* with incense,
The *cross-bearer*, sub-deacon,
with *four acolyths* on his right,
and *three* on his left.
Greek sub-deacon ; *Greek deacon ;*
The Latin sub-deacon,
carrying the book of the Gospel with
the Pope's maniple,
the CARDINAL-DEACON of the Gospel,
the CARDINAL-BISHOP assistant,
two CARDINAL-DEACONS assistants,
two auditors of the Rota,
first master of ceremonies,
THE POPE,
two *private chamberlains* assistants,
auditor of the Rota
in charge of the mitre.
PATRIARCHS, ARCHBISHOPS, AND BISHOPS
assistants at the throne.

His holiness having arrived near the altar, the three junior cardinal-priests, who are on his left as he approaches, advance successively to meet him, and to embrace him; each does so in turn, after having made a profound inclination. Formerly, it was usual, at his approach to the altar, for the sovereign pontiff, and indeed for every bishop on solemn occasions, to give the kiss of peace to his brethren, in fulfilment of that of the Saviour. (Matt. v. 24.) The restriction of the number to three curtailed the ceremony, and mystically exhibited the homage paid by the three wise men to the Saviour (Matt. ii. 11); and the salutation upon the cheek showed their acknowledgment of the human nature of the Redeemer, which appeared manifest to all; and that upon the breast gave token of their confession of the divine nature which lay concealed.

The Mass

Has some peculiarities which shall be noticed; but the explanation contained in the first part of this compilation, is essential for those who desire to view what occurs with any intelligence.

The epistle and Gospel are sung, each, first in Latin and then in Greek.

There are two credence tables, one with five candles, upon which the deacon's plate is laid,—another with two candles, upon which the sacristan has what he supplies. These are on the epistle side: on the Gospel side is a third credence table, which is called the Pope's. Towards the conclusion of chaunting the creed, the sacristan and his attendants carry the sacred vessels to this latter credence, where they are washed, and the keeper of the cellar drinks some of the wine and water which he furnishes for the washing; the cruets are also supplied from what has been thus proved, and are carried to the platform where the cardinal-deacon is preparing the bread. When the holy father goes to the altar for the offertory, the sacristan eats in his presence two particles pointed out by the cardinal-deacon, from three hosts which he has sent for sacrifice, and also drinks some of the wine and water. There is not any clue to discover when this apparently unnecessary precaution to guard against poison has been introduced.

Before the preface, the master of ceremonies calls the two junior cardinal-deacons, who go one to each side of the altar, standing with their faces turned to each other, as representing the angels who were at the monument. (John xx. 12.) They

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remain until the Pope leaves the altar for communion. This, of course, is peculiar to Easter.

After the consecration, the tube through which the Pope and the cardinal-deacon receive the sacrament, are purified with ceremonies similar to what had been used respecting the chalice.

As had been remarked in the explanation of the Mass, the canon concluded before the Lord's prayer,—that prayer being said, its sequel and the communion form the remainder.

Communion of the Pope.

It was an ancient custom in the Church of Rome, for the holy father, after the conclusion of the canon, to leave the altar, and retiring to his place in the midst of the bishops and priests who celebrated with him, to wait until the attendants brought the consecrated Host and chalice from the sacred table to his seat; where, having made his preparation, he had the bread of life divided with his assistants, and taking but a small portion from the chalice, he committed to his deacon the dispensation of the rest. In perhaps every other church, this was done at the place where the consecration itself was made; but the ancient documents show us, that, from the earliest period to which we can trace our ritual orders, the custom of the Holy See was that here described.

When communion was given under both kinds in the Latin Church, at an early period, in several places, narrow tubes were introduced for the purpose of drawing from the chalice a portion of the sacred blood. We find them in existence about the sixth and seventh centuries, and then they were not regarded as a novel introduction. Several causes led to the adoption of this expedient; amongst which that of guarding against spilling the contents, was not the least. Besides, it frequently happened that some natural and insurmountable delicacy prevented persons from applying their lips to a vessel from which another had just drank. Instances of this were by no means uncommon. But when the discipline was changed, and those who assisted as ministers with the pontiff, no longer communicated at his Mass, the holy father remained, as others did, at the altar, and the tube fell into disuse. But still it was very properly determined, that some vestiges of ancient usages should be preserved; and on grand pontifical festivals, the deacon and sub-deacon communicate with his holiness under both kinds, and this fistula or syphon again on those occasions appears; again, also, on those days, the pontiff leaves the altar after the *Agnus Dei*, having given the peace at the usual time to the assistant-bishop and two assistant-deacons; then, having adored the Sacrament, departs for his throne.

The cardinal-deacon of the Gospel remains at the altar, and when he observes the holy father in his place, after paying his homage to the holy Eucharist, he exhibits his bread upon the paten, under what is called the *golden star;* turning on each side to present it for adoration, he then delivers it to be carried by the sub-deacon to the throne; the deacon exhibits the chalice in like manner, and carries it himself. He stays with this vessel, on the right of the holy father, the sub-deacon on his left. After having said the usual preparatory prayers, the Pope breaks the Sacred Host, and takes one of the particles for his own communion; soon afterwards he breaks the remainder into two parts, for the purpose of administering it to his deacon and sub-deacon. The deacon presents the chalice, and the assistant-bishop the tube, through which the pontiff imbibes a portion of the sacred blood.

The deacon stands near the holy father, and the sub-deacon kneels; both receive from his hand particles of the host that he has broken, previous to which, each of them kisses his hand, and, after communion, he embraces each. They depart for the altar, the deacon carrying the chalice and syphon, and the sub-deacon the paten which he purifies over the chalice; the deacon takes a portion of the blood through the tube, and leaves the chalice to the sub-deacon, who drinks the remainder, and purifies the vessel. Meantime the holy father takes an ablution from another chalice presented by the assistant cardinal-bishop.

Several mystic explanations of this ceremony are given; the chief amongst them are founded upon the principle that Christ was put to death openly before the multitude upon Mount Calvary, as the holy father is elevated upon this platform, and takes communion openly before the body of the faithful. This is more fully developed, when we consider that the Saviour first instituted this holy sacrifice, and commenced his mystic offering where He consecrated the Holy Eucharist upon the table in the chamber,—but he perfected and consummated it upon the mount, where He was put to death before the multitude; so his venerable vicar consumes upon the

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floor of the throne, in presence of the assembly, that body and blood which he had consecrated at the altar in presence of his attendants.

Communion of the other Deacons, the Laity, &c.

The deacon now coming to the foot of the throne, chaunts the confession, after which the Pope, reciting the usual form of prayer on behalf of those who are to go to communion, administers the Eucharist, under the appearance of bread only, to the cardinal-deacons, and noble laity or magistrates, some of whom make their Easter communion on this occasion. Afterwards, his fingers are purified; his hands are washed after he has the mitre placed on his head, and he goes to the altar and concludes the Mass.

The holy father, coming down from the altar, lays aside the mitre and pallium, resumes the tiara, and goes to his portable chair, where he is approached by the cardinal arch-priest of St. Peter's, accompanied by two canons sacristans, and presented with a purse of embroidered white velvet, which contains the usual offering made to his holiness for singing mass in that basilic. The offering is given in the name of the chapter. The Pope receives it, and hands it to his deacon, to whose train-bearer it is consigned as a perquisite.

His holiness is then carried to a kneeling stool in the midst of the church, but with only two of the acolyths, and unattended by the Latin sub-deacon, or by the Greek deacon or sub-deacon; neither does the incense-bearer go, nor are the mitres carried. After laying aside his tiara, and kneeling to venerate the relics, which are again exhibited from the ends of the balcony by one of the canons, attended by two of his brethren, the holy father and his attendants rise; he goes back to his chair, and resumes his tiara; the cardinals and bishops wear their mitres, and the procession advances to the gallery in front of the edifice, where the venerable father of the faithful calls down blessings upon the assembled multitude, in the same form by which he besought heaven to bestow its benediction upon them on the preceding Thursday.

Whilst the cardinal dean in the name of the sacred college felicitates the successor of Peter on the recurrence of the festival, the sounds of martial music and the joyous roar of artillery scarcely permit the emulative bells sometimes to make their gratulating peals heard, as they mingle in celebrating the glorious resurrection.

PROCESSION FOR EASTER SUNDAY.

Esquires,
two and two, in red serge cappas with hoods over the shoulders, &c.
Proctors of the College,
two and two, in black stuff cappas with silk hoods.
Procurators of Religious Orders,
two and two, in the habits of their respective orders.
Ecclesiastical-chamberlains, outside the city,
two and two, in red.
Chaplains in ordinary,
in red cappas with hoods of ermine; of which there are
first mitre bearer,
second mitre bearer,
third mitre bearer,
one bearer of the tiara.
Private Chaplains,
two and two, red cappas and hoods of ermine.
Consistorial-advocates,
two and two, in black or violet cassocks and hoods.
Ecclesiastical-chamberlains,
private and honorary, two and two, in red cassocks and hoods.
Choristers of the Chapel,
two and two, in violet silk cassocks, over which are surplices.
Abbreviators of the Park,
Clerks of the Chamber,
in surplices, over rochets, two and two.

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Master of the Sacred Palace,
in his habit of a Dominican friar.
Auditors of the Rota,
in surplices, over rochets, two and two.
Incense bearer.

Three Acolyths, in surplices over rochets carrying large candlesticks with lights, *Greek Sub-deacon.*

Cross bearer in tunic.

Two *porters of the red rod.*

Latin Sub-deacon in tunic.

Four Acolyths, in surplices over rochets carrying candlesticks with lights. *Greek Deacon.*

Penitentiaries of St. Peter's,
two and two, in albs and chasubles.
Mitred Abbots,
of whom only a few are entitled to a place.

Swiss Guard.

BISHOPS, ARCHBISHOPS, AND PATRIARCHS,
two and two, the Latins wearing copes and mitres,
the Easterns in their proper costumes.

Swiss Guard.

CARDINAL-DEACONS,
in dalmatics and mitres, each accompanied by his chamberlain carrying his square cap, and followed by his train bearer,
CARDINAL-PRIESTS,
in chasubles and mitres, similarly attended.
CARDINAL-BISHOPS,
in copes and mitres, similarly attended.
General staff and officers of the guard of nobles.
Grand herald and grand esquire,
in court dresses.
Lay Chamberlains,
Conservators of Rome, and Prior of the magistrates of Wards,
in vestures ornamented with cloth of gold.

Swiss Guard, Mace-bearers, Guard of Nobles,

PRINCE-ASSISTANT AT THE THRONE,
in a splendid court dress.
GOVERNOR OF ROME,
in rochet and cappa.
Two Auditors of the Rota,
to serve as train bearers.
Two principal masters of ceremony.

Swiss Guard, Mace-bearers, Guard of Nobles,

CARDINAL-DEACON 2d assistant at the throne, *Fan* borne by a private chamberlain.

CARDINAL-DEACON for the Latin Gospel and Mass.

CARDINAL-DEACON 1st assistant at the throne. *Fan* borne by a private chamberlain.

THE POPE,
wearing a white cope and tiara,
borne in his chair by twelve supporters in red damask, under a canopy sustained by eight referendaries of the signature, in short violet mantles over rochets. His holiness is surrounded by his household. Six of the Swiss guards, representing the Catholic cantons, carry large drawn swords on their shoulders.

Private chamberlain.

Dean of the Rota in rochet and cappa.

Private chamberlain.

MAJOR-DOMO,

AUDITOR OF THE APOSTOLIC CAMERA,

TREASURER.

in rochets and cappas.
Prothonotaries apostolic.
Regent of the Chancery, and auditor of contradictions,
all in rochets and cappas, two and two.
Generals of Religious Orders,
two and two, in their proper habits.

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REPORT TO THE ARCHBISHOP OF BALTIMORE,

UPON THE MIRACULOUS RESTORATION OF MRS. ANN MATTINGLY, OF WASHINGTON, D. C.,

TOGETHER WITH THE DOCUMENTS.

But they going forth preached everywhere the Lord working withal, and confirming the word with signs that followed.—MARK xvi. 20.

To the Most Rev. James Whitfield, D. D., Archbishop of Baltimore, &c. &c.

MOST REV. SIR:—Having been peculiarly struck with the evidence in the case of Mrs. Mattingly's restoration to health, I requested as a favour your permission, as the occurrence took place in the diocess over which you preside, to examine it specially, for my own satisfaction, and to publish my opinion after close inquiry, and mature reflection. You were pleased to consent.

My first wish was to converse again with Mrs. Mattingly herself: I had previous conversations with her in the latter end of December, 1825, and the beginning of January, 1826, and with several of the other witnesses to the principal facts of her case. I was also desirous of procuring the supplemental affidavits which are now for the first time published. And I might perhaps, better state here the reason of their not having sooner appeared.

When I was in Washington, about four years since, I was accompanied by my sister, who had much more conversation with Mrs. Mattingly than my opportunities then allowed; after our departure for the South, she stated to me her surprise that no more special mention was made in the published documents of what she considered to be the most palpable evidence of the miraculous nature of that lady's cure, viz., the sudden healing of an ulcerated back. The statement was perfectly new to me, and I asked particularly respecting the evidence: she mentioned to me her having had the information from Mrs. Mattingly, and from, I believe, one of her sisters: I immediately wrote to Mrs. M. and requested such affidavits as the nature of the case would require or admit. Soon afterwards I received a letter from Captain Carbery, the brother of Mrs. M., covering the affidavit. I mislaid this document, and was now anxious to make more particular inquiry, not only respecting the fact and its circumstances, but to see and examine the witnesses, and to learn the cause of this omission, when the original depositions were taken.

I also was desirous of hearing again the verbal relation from the principal witnesses, and of investigating upon the spot more fully for my own satisfaction: for though my mind had been long previously convinced of the truth of the facts, and of their miraculous nature, I judged it but prudent to take this step in order to discover whether the process would disclose any ground of doubt, or more fully confirm my previous impressions.

Having had several conversations with Mrs. Mattingly, her sisters, her uncle's widow, and some of the other witnesses, I received the very same explanation which had previously been given, viz.: that it was not considered necessary to enter into every minute detail, and that many circumstances of this most extraordinary case were passed over, some, through delicacy, and some, not to overload with too many particulars, the narrative and testimony already greatly burdened with facts and repetition. I found that a great many of the original witnesses, and several other respectable persons with whom I conversed, had been always fully aware of the fact related by my sister, and of many others, the knowledge of which might increase the satisfaction of the believer, but would not convince persons for whom the published documents were insufficient.

I have myself been put in possession of much more of the same description; and upon being consulted by Mrs. Mattingly, I gave it as my opinion that there was no necessity for the publication, at present, of more than what is contained in the original documents and the four supplemental affidavits which I then procured. Before I close this little work, I shall state to you

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that although they contain more than enough of evidence to prove the existence of a splendid miracle, they do not contain all that might be adduced. I shall, however, of course, in the argument. confine myself strictly and exclusively to them, as if they did contain the entire—as I have no right to call upon any one to draw a conclusion more extensive than will be supplied by the premises which have been furnished.

I submit, then, that the following statement is fully upheld in all its parts by the documents, and that the testimony of their witnesses is every way unimpeachable—of course that the statement itself is an exact history of facts, and the facts being admitted as true, the miraculous nature of the occurrence is evident.

"A. M. The subject of the following case, was a married lady, about thirty-four years of age; of industrious habits, even temper, and cheerful disposition. During the summer of 1817, she experienced some painful sensations in the left side, which gradually increased in severity, at length became concentrated upon the lower and outer part of the left mamma: upon examination of which, she discovered a hard and deep-seated tumour of the size of a pigeon's egg, which soon became so sensible, that the lightest touch of her finger, or pressure of her clothes, occasioned severe pain. In the month of September of this year, three medical gentlemen examined the tumour, and two of them agreed that it was of a schirrous nature. One of them recommended immediate extirpation, which recommendation, however, was not acted upon. External applications of hemlock and mercurial ointment were applied; and other remedies (which are not mentioned) were prescribed: but the tumour was not dispersed, nor were the pains allayed by the treatment. No material change however of her general health occurred, until the Monday after Easter-Monday, A. D., 1818, when she was seized with a violent vomiting; which recurring at intervals for several hours, a physician was called in, and prescribed for her. After some days, her disease assuming a more alarming aspect, another physician was called in consultation: a course of mercury was determined on; and a salivation of several weeks' continuance was kept up, without the patient at all being benefited thereby.

"The tumour now became more and more painful. The patient compared her sensations to what she imagined she would feel, if her side were bored with an auger, pinched with forceps, or cut with sharp instruments. Pains such as these she constantly experienced from about the month of March, 1818: in addition to which, sudden and acute pains would occasionally radiate in every direction from the inflamed spot, causing her agonies, which are indescribable. From the permanent contraction of the pectoralis-major, the left arm was kept applied to the side, and by its pressure greatly aggravated her sufferings. Constant pains were felt also under the scapula, and in the shoulder and arm of the left side.

"During this time, she frequently vomited large quantities of grumous blood, and highly offensive matter, which often threatened instant suffocation; and were accompanied with cramps of her stomach, breast, and limbs, cold sweats, and cold extremities. Great debility and frequent syncopes followed these discharges; and on some occasions her prostration was so extreme, that her attendants resorted to artificial means of ascertaining if her respiration continued. The attending physician believed that the hæmorrhage was vicarious; nor did he abandon this opinion until convinced by Mrs. M. that the functions of the uterus (except when she was very much reduced) continued to be performed.

"The violence of these symptoms occasionally abating, she employed herself in sewing or in knitting. She was generally confined to her chamber or bed: on one occasion venturing to walk a very short distance (say ten yards) out of doors, this effort was immediately followed by violent hæmatemesis. During the exacerbations of her disease (which lasted several weeks, and returned repeatedly in a year,) her stomach would retain no solid food whatever; and often the tea or coffee, upon which principally, she subsisted during these exacerbations, was instantly rejected, mixed with blood and offensive matter.

"She constantly felt a tightness across her chest, an internal smarting and burning, and great thirst. She had no appetite, and was always sensible of a very disagreeable taste in her mouth. Her tongue was hard, rough, dry, and dark-coloured; and her breath insupportably offensive.

"The medical treatment during this time was only palliative. Laudanum appearing to afford more relief than any other remedy, was given ad libitum; but the system becoming gradually accustomed to its operation, it at length produced no effect, even when taken in large doses.

"The above is a very faint outline of the sufferings of Mrs. M. from the period of their incubation (the summer of 1817) to about the month of September, 1823; during which time she exercised a Christian fortitude, and practised an habitual piety and resignation, truly edifying and consolatory to her relatives and friends.

"About this time, (the summer of 1823,) a hard and incessant cough supervened, attended with hæmoptysis; and frequently provoking by its obstinacy attacks of hæmatemesis, which threatened immediate strangulation, and reduced her to the lowest ebb of life. In the month of February, 1824, a regular chill and fever came on about 4 o'clock, every afternoon.

"From long confinement to a recumbent posture, the shoulders and loins of the patient became ulcerated.

"The attending physician repeatedly declared that her 'case was out of the reach of medicine;' and prescribed only palliatives. The sulphate of quinine was tried, but the stomach rejecting it, it was discontinued, and laudanum in large doses repeated. On the night of the 9th of March, 1824, tinnitus aurium, and an almost inaudible voice, appeared to be the precursors of dissolution. Between four and five o'clock, A. M., of the 10th March, to the astonishment and even terror of her friends, she asked for her stockings, drew them on, and left her bed; and excepting her loss of flesh and colour, seemed to be sud-

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denly restored to health. The tumour had disappeared; the ulcers of her back had healed, without leaving a vestige (not even a cicatrix) of their late ravages. Her breath, lately so intolerably fetid and disgusting, was become pleasant; and a sweet taste substituted for the very disagreeable one which had so long existed in her mouth. She could now use her left arm as well as ever; and could throw it into any posture she chose, without occasioning the slightest pain. In fine, she proved to be suddenly restored to health; and, immediately underwent the fatigue of receiving the visits of hundreds of persons, who crowded to see her, without exhaustion or inconvenience. From that time to the present she has continued to enjoy excellent health; and with many others, is a living witness to the truth of these statements.

"She and her attendants being questioned, denied that any abscess had discharged whether internally or externally; and asserted that the tumour continued to the moment of her restoration, increased in size, hard, inflamed, and painful."

I shall here inform you, that this history was not drawn up by me, nor under my supervision. Upon my return hither, I put all the documents into the hands of a respectable Protestant physician, and requested of him to draw from them such a statement as his own judgment would suggest. After carefully studying them, he compiled the above relation. I then divided it myself into its several propositions, and carefully noted the passages of the several documents by which each proposition was sustained; and seeing the impossibility of evading their single or collected truth, I addressed to the highly respectable and numerous body of our physicians in this place the following circular, accompanying the statement itself:

"The following case is respectfully submitted to the medical faculty of Charleston, with a full conviction of the perfect and absolute truth of the facts, therein stated.

I would take it as a great favour, to be informed whether, in the supposition of that truth, the gentlemen of the faculty, or any of them, can account for the sudden restoration upon any natural principle.

In submitting the case, I must state that there existed a circumstance which could not, by any means, either naturally produce or aid in naturally producing the result, but which is calculated to lead to the conclusion that the effect was produced by the miraculous interference of the Creator. Upon this I propose no question. I merely request to be informed whether the faculty can assign any sufficient or probable natural cause for the restoration—taking the following as a fair and full statement of the whole case. Respectfully,

† JOHN, *Bishop of Charleston.*

Charleston, January 23, 1830."

I had one parcel left with the secretary of the Medical Society: and after each member of the faculty had been furnished with a copy, the question was put at their regular meeting, whether the subject should be taken up. I am not quite certain whether more than one physician was in favour of the discussion, but I know that the only Roman Catholic in the society stated to me that he was convinced of the miraculous nature of the restoration, and desired to have it taken up by his brethren, but it was not examined.

I had another parcel left with the dean of the faculty of our Medical College, for the professors. I ascertained from the gentleman, upon inquiry, that the parcel had been received, but he has not thought fit to state anything farther to me upon the subject.

I shall now proceed to show the witnesses by whom each assertion is sustained, making reference to the documents by their numbers.

The first assertion is merely a description of the lady. "The subject of the following case was a married lady, about thirty-four years of age: of industrious habits, even temper, and cheerful disposition." This is sustained by the affidavit (2) of Captain Carbery, who also adds "that she enjoyed excellent health, till the sickness alluded to in the statement marked A;" as also by the testimony of Sybilla, the widow of General Henry Carbery, (4) the uncle of Mrs. Mattingly, who adds "that she was healthy till about the summer of 1817," and that "she had been intimately acquainted with her during about thirty years;" likewise by Mrs. Anne Maria Fitzgerald, (5) a respectable lady, who was intimately acquainted with her during about fourteen years.

The second assertion is the general description of the commencement of her sickness; and it might be considered, as regarding the length of time that sickness continued, as well as the manner in which its manifestation began. The testimony to both these points is plain and abundant. I shall recite the witnesses, referring to the documents. Mrs. Mattingly herself (1) to both; Captain Carbery (2 and A to both); Dr. Jones, who certifies the statement A, besides his certificate (11) to both; Ruth Carbery and Catherine Carbery (3) to both; Dr. Alexander M'Williams (12) both; Lewis Carbery (9) both; Rev. William Matthews (34) to both, save that he only knew of the lump by her relation, and not by inspection; Mrs. Baker (24) as to the lump or tumour, which she felt; also Christiana Hobbs (16). These witnesses establish, that "during the summer of 1817 she experi-

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enced some painful sensations in the left side, which, gradually increasing in severity, at length became concentrated upon the lower and outer part of the left mamma; upon examination of which, she discovered a hard and deep-seated tumour, of the size of a pigeon's egg, which soon became so sensible, that the slightest touch of her finger, or pressure of her clothes, occasioned severe pain." Their testimony is generally supported by the depositions of Sybilla Carbery,(4) Jane Rose,(19) Maria Anne Booth,(21) Anne Maria Fitzgerald,(5) Mary Hopewell,(7) James Carbery,(8) Jane M. Andrews,(17) Eliza Cassin,(20) Dr. James W. Roach,(28) Captain James Hoban,(10) Rev. Joseph Carbery,(27) Mr. James M'Williams, and Miss E. M'Williams,(29 and 30) Rev. Anth. Kohlmann,(31) and Mrs. Mary H. Fitzgerald,(18.) These latter, added to the first ten, give us twenty-five witnesses of various ages, professions, religions, and of both sexes, all of very respectable standing in society, well known for probity, honour, and unimpeachable deportment. If we add to this the testimony of the other witnesses, who either occasionally or only latterly saw Mrs. Mattingly, and consider the notoriety of her case, she not being an obscure person, but the sister of the mayor of our federal city, residing near the presidential mansion, and in the vicinity of the public offices of the United States, and under the eyes, I may say the observation of some of the most distinguished public officers, and her attending physician, the present postmaster of the city of Washington, we can desire no stronger. I have spoken with several of the most creditable persons in public and private life, in that city, upon the subject, and not one ever expressed a doubt as to the duration or character of the disease.

I now come to its history. The next assertion is, that "in the month of September of this year, three medical gentlemen examined the tumour, and two of them agreed that it was of a schirrous nature. One of them recommended immediate extirpation, which recommendation, however, was not acted upon. External applications of hemlock and mercurial ointment were applied; and other remedies (which are not mentioned) were prescribed; but the tumour was not dispersed, nor were the pains allayed by this treatment." To maintain this, we have the testimony of Mrs. Mattingly,(1) Dr. Jones,(11) Dr. M'Williams, (12) and Lewis Carbery,(9) severally to the several parts of the allegation.

Our next statement is, that "no material change, however, of her general health occurred until the Monday after Easter-Monday, A. D. 1818, when she was seized with a violent vomiting, which, recurring at intervals for several hours, a physician was called in, and prescribed for her. After some days, her disease assuming a more alarming aspect, another physician was called in consultation; a course of mercury was determined on; and a salivation of several weeks continuance was kept up, without the patient being at all benefited thereby." This is upheld by Mrs. Mattingly,(1) the document A, sustained by the certificates of Dr. Jones, by Sybilla Carbery,(4) Lewis Carbery,(9) Dr. Jones,(11) and Jane M. Andrews,(17) taking all their statements in the general result.

"The tumour now became daily more and more painful. The patient compared her sensations to what she imagined she would feel, if her side were bored with an auger, pinched with forceps, or cut with sharp instruments. Pains such as these, she constantly experienced from about the month of March, 1818: in addition to which, sudden and acute pains would occasionally radiate in every direction from the inflamed spot, causing her agonies which are indescribable." The testimony of Mrs. Mattingly,(1) of Miss Fitzgerald,(5) of the Rev. Anthony Kohlmann,(31) and of the Rev. S. L. Dubuisson,(32) exhibit the truth of this statement.

That "during this time, she frequently vomited large quantities of grumous blood and highly offensive matter, which threatened instant suffocation," will be at once perceived by reference to Mrs. Mattingly's own statement,(1) to that of Captain Carbery,(2) the statement A, the affidavits of Mrs. Sybilla Carbery,(4) Miss A. M. Fitzgerald,(5) James Carbery,(8) Lewis Carbery,(9) the certificates of Dr. Jones,(11) and of Dr. M'Williams (12:) this latter gentleman adds what I have been told by several others who saw her frequently, "that nothing could be more offensive than the effluvia from her breath." The following witnesses also testify to the continued vomiting of blood and matter, viz: Christiana Hobbs,(16) Mary Jane Andrews,(17) Jane Rose,(19) Eliza Miller, Harriet Miller, and Eliza Berryman,(22) Catherine N. Cleary, who describes it as "sometimes so clotted as to appear like liver," (23) Mrs. Baker,(24) Justice Wharton,(25) George Sweeny,(26) Rev. Anthony Kohlmann,(31) Rev. S. L. Dubuisson,(32) and Rev. William Matthews:(33) twenty-one in all.

That on these occasions, these sufferings "were accompanied with cramps of the stomach, breast, and limbs," we are inform-

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ed by herself,(1) Sybilla Carbery(4) Anne Maria Fitzgerald,(5) James Carbery,(8) Christiana Hobbs,(16) Mary Jane Andrews, (17) Mary H. Fitzgerald,(18) Jane Rose, (19) Rev. William Matthews,(33.)

The next assertion is, that "great debility and frequent syncopes followed these discharges, and on some occasions her prostration was so extreme, that her attendants resorted to artificial means of ascertaining if her respiration continued." To omit her own testimony, we have to these points that of her brother, the mayor,(2) the statement A, Miss Anne Maria Fitzgerald, who often thought her "actually dead,"(5) James Carbery,(8) Lewis Carbery,(9) Christiana Hobbs,(16) Mary Jane Andrews,(17) Anne Booth,(21) Catherine N. Cleary,(23.)

The next statement regarding the supposed nature of the hæmorrhage, is made by Dr. Jones,(11.)

The description of her occupation in the intervals of lesser suffering, and the hæmatemesis from the least exertion, are found stated by herself,(1) in the document A, by James Carbery,(8) and Lewis Carbery,(9) as is also the remaining assertion in the same clause. "The violence of these symptoms occasionally abating, she employed herself in sewing or knitting. She was generally confined to her chamber or bed: on one occasion, venturing to walk a very short distance (say ten yards) out of doors, this effort was immediately followed by violent hæmatemesis." The remaining part of this paragraph will be seen upheld not only by her own testimony,(1) but by that of her two sisters,(3) of her aunt,(4) and of the Rev. S. L. Dubuisson.(32) "During the exacerbations of her disease (which lasted several weeks, and returned repeatedly in a year,) her stomach would retain no solid food whatever; and often the tea or coffee, upon which principally she subsisted during these exacerbations, was instantly rejected, mixed with blood and offensive matter."

It is upon her own testimony, that we must principally rely for the description of her feelings: "she constantly felt a tightness across her chest, an internal smarting, and great thirst." But the evidence is upheld by the concurrent testimony of most of the other witnesses, informing us of what they observed, and what she occasionally described. The state of her tongue is given by herself, as not only "parched with a constant fever," but it seemed to her to be as "hard and rough as a nutmeg-grater;" and "she had constantly a bad and disagreeable taste in her mouth." Her brother (2) says, "her tongue was hard, rough, and dark." I have been told myself by several respectable persons, that, for a considerable time, they found it extremely unpleasant and offensive to the smell to pass by her chamber door. Dr. M'Williams states that her sufferings "gave every reason to conclude that the disease was making rapid progress on the internal organs, as nothing could be more offensive than the effluvia from her breath."

"The medical treatment during this time was only palliative. Laudanum appearing to afford more relief than any other, was given, *ad libitum;* but the system becoming gradually accustomed to its operation, it at length produced no effect, even when taken in large doses.

"The above is but a very faint outline of the sufferings of Mrs. M. from the period of their incubation (the summer of 1817) to about the month of September, 1823, during which time she exercised a Christian fortitude, and practised a habitual piety and resignation, truly edifying and consolatory to her relatives and friends."

Dr. Jones, Dr. M'Williams, Captain Carbery, the document A. Captain Hoban, and the Rev. William Matthews, sustain the first part of this statement, and the aggregate of the witnesses uphold the second part.

We now come to the latter state of the patient.

"About this time, (the summer of 1823,) a hard and incessant cough supervened, attended with hæmoptysis; and frequently provoking, by its violence and obstinacy, attacks of hæmatemesis, which threatened immediate strangulation, and reduced her to the lowest ebb of life. In the month of February, 1824, a regular chill and fever came on about 4 o'clock every afternoon."

"From long confinement to a recumbent posture, the shoulders and loins of the patient became ulcerated." The entire of this is proved by her own affidavits (1 and 34), by those of her sisters, (3, 35, and 36.) Moreover, the first clause has the additional testimony of Dr. Jones,(11) Captain Carbery,(2) Miss Fitzgerald,(5) James Carbery,(8) Lewis Carbery,(9) Captain Hoban,(10) partly by Dr. Carroll,(14) fully by Miss Andrews,(17) Miss Fitzgerald,(18) Mrs. Rose,(19) Miss Cleary,(23) Justice Wharton,(25) Rev. Anthony Kohlmann,(31) Rev. S. L. Dubuisson,(32) and Rev. William Matthews,(33) and the latter part by Mrs. Sybilla Carbery,(37.)

I have now, Most Reverend sir, made very tedious references to the several affidavits and certificates, which clearly prove the entire of the statement to this point, in the most full, plain, and satisfactory man-

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ner. Such a body of witnesses has seldom been arrayed for the purpose of satisfying the public mind. Most if not all of them are still living. I have more than once seen and conversed with several of them myself upon the spot. I have spoken with some of the judges in whose presence they were sworn, and I unhesitatingly assert, that a more respectable aggregate of witnesses, to any series of facts, never came under my observation. They exhibit the case in much stronger colours than my medical friend has thought proper to lay on his statement, for it was judged more correct and prudent to keep far within the bounds which the nature of the case allowed than to attempt overstepping them, especially where they were so ample as to cover more space than was requisite to prove the miraculous nature of the occurrence.

I shall now make special exhibition of the state of Mrs. Mattingly, just previous to her restoration; after giving the opinion not only of the physicians, but of several other judicious friends, as to the character of the disease.

"The attending physician repeatedly declared 'her case was out of the reach of medicine;' and prescribed only palliatives. The sulphate of quinine was tried, but the stomach rejecting it, it was discontinued, and laudanum, in large doses, repeated. On the night of the 9th March, 1824, tinnitus aurium, and an almost inaudible voice, appeared to be the precursors of dissolution."

Mrs. Mattingly states in the supplement to No. 1, "I had long expected the hour when Almighty God, in his mercy, would deliver me from my sufferings, by withdrawing me from a world to me a scene of misery."

Thomas Carbery—"He consulted with many physicians about her complaint. They generally pronounced it an internal cancer, and all of them unhesitatingly declared that it would kill her, and that no medicines or external applications would, in their opinion, prolong her life." "For some time before her restoration, the whole system was prostrated. The severity of the cancer had almost deprived her of the power to articulate; the left side and arm were very much contracted, her pulse scarcely perceptible to the nicest touch. * * * She could not move herself in the bed."

Ruth Carbery and Catharine Carbery—"Upon several occasions they thought she was dying, and said the departing prayers by her." About three weeks before her recovery, "She manifestly appeared to be growing much worse than they had ever seen her; all the symptoms of her case appearing to indicate that her death was fast approaching, and that up to the very moment before her sudden restoration to perfect health, these symptoms seemed more and more alarming."

Sybilla Carbery—"That she always understood her disease to have been an internal cancer, and that so far as she has been capable of judging of the nature and severity of her case, no medicine or medical skill could have restored her to health, or given her any but very temporary relief"—"that for three weeks preceding her recovery, she was constantly with her, and during that time, expected every day would be her last."

Miss A. M. Fitzgerald—"Her sight was so much impaired at times, that she told me she could hardly recognise me; and for the last few days she complained of a constant noise in her head, resembling the tolling of bells, which affected her hearing very much." "In the afternoon of the 9th I visited her, and remained with her until the next morning. During the evening she requested me to bathe her head with vinegar, as she said she felt a violent pain in it; and said she believed mortification had taken place, as she felt unusual kind of pains in her side and breast."

James Carbery—"Always believed from the commencement that her disease was mortal." He saw her for the last time in her illness, on Monday the 8th of March, having staid with her through the preceding afternoon and night. "She was reduced to the very last extremity of life."

Lewis Carbery—"That on Monday the 8th of March, he was in his sister's room nearly the whole day, and saw her during the afternoon so entirely divested of all signs of life, as to induce him to believe that she was dead. That she continued in this state for about ten or fifteen minutes, and on showing signs of life by strangling, and being raised in the bed, a quantity of blood ran from her mouth." "That he always understood it to be the opinion of the physicians who have visited her, or were consulted on the subject, that the disease of his sister was an internal cancer, and that they believed her case to be out of the power of medicine."

Captain Hoban, on the 4th of March, "was informed that Mrs. M. had expressed a desire to see him; he visited her in her chamber, and found her there in a more deplorable state, if possible, than he had ever before seen her; and she appeared to be almost suffocated, struggling for breath, and almost deprived of life." "Having no

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hope of Mrs. M. being able to speak to him, he withdrew, under the strong belief that she could not survive."

Dr. Jones "concurred" with Dr. M'Williams, who "was of opinion that her case was hopeless, and simply advised the use of palliatives." "Notwithstanding our opinion that the disease was not within the control of medicine, I continued to call occasionally." On the 1st of March, 1824, "the sulphate of quinine was directed, but her attendants stated that a very inconsiderable portion of it was retained; it was discontinued, and the laudanum in large doses repeated. I continued my visits to the 5th, and believing anodynes only indicated, I did not see her again till Wednesday the 10th."

Dr. M'Williams—"On conferring with Dr. Jones, I freely gave it as my opinion that her case was hopeless, and that palliatives were all that was left for this pious and excellent woman in her languishing condition; in which opinion Dr. Jones fully concurred."

Dr. Carroll "accidentally saw her at her brother's in the fall of 1823, and she seemed to him to be then in a hopeless state of disease, and beyond the power of medical aid."

Christiana Hobbs—"Two days before her restoration she saw Mrs. Mattingly, and found her, if possible, worse than she had ever seen her, and evincing every sign of speedy dissolution."

Jane Rose—"Those words she spoke at intervals when it was in her power to articulate, and I frequently had to put my ear close to her mouth, for she spoke in a tone so low as to be scarcely perceptible."

Eliza Cassin, who saw her on the 8th of March, received answer, on the 9th, to an inquiry, "She was as ill as she could be to be alive."

Eliza Miller, Harriet Miller, and Louisa Berryman—"On the 9th of March, late in the evening, paid a visit to Mrs M. and were under the impression that she was in a dying condition. Miss Eliza Miller and Miss Louisa Berryman assisted in waiting on her in a fit of fainting, and Miss Eliza Miller once ran down for the Rev. Mr. Matthews, believing that Mrs. Mattingly was at that moment breathing her last."

Catharine N. Cleary says "She had entirely lost the use of her left arm, and was reduced to the very verge of the grave. I saw her on the 8th of March, in the most agonizing pain, during which time she swooned twice in endeavouring to vomit, and was insensible so long, that I did not think she would ever recover."

Justice Wharton—"On Monday, the 8th March, saw Mrs. Mattingly for the last time before her miraculous restoration to health. She appeared to manifest the most unequivocal signs of a speedy departure. Her voice was so weak, that he could hardly hear her utter a word, even though his ear was applied closely to her mouth. Her hands were so cold, and she seemed to be rapidly approaching the last moment of her existence. Her cough, though much weakened, was almost incessant, and the blood which she threw from her stomach was so fetid, as to almost render a station by her bedside insupportable."

George Sweeny—"Several times during the year last past had been in the chamber of Mrs. M., and always entertained the opinion that no human skill could restore her to health."

Rev. Joseph Carbery, during the period of her illness, "always left Washington with the impression that he should never see his sister again, believing with those who knew her, that her case was incurable, and that she could not long survive; and several times during his last visit, in the end of February, 1824, he thought she was in the act of expiring."

Dr. James W. Roach "had several times during six years seen her, always found her sick, several times extremely ill. Had reasons to believe she never would recover."

Jane Mary Andrews "frequently visited, attended on, and sat up with Mrs. M." "Saw her frequently faint and at the point of death." "In fact her case was considered as entirely hopeless. Her disease continued with increasing severity to the 9th of March, 1824."

Rev. Anthony Kohlmann, "on the 9th of March, 1824, paid a visit to Mrs. Mattingly, late in the evening, and found her as low as he had ever seen her; that to him she had all the appearance of a dying person; that her voice was so weak that he had to apply his ear to her lips to distinguish her words; that she told him she could scarcely see or hear." "Her frame was the wreck of sickness and corruption."

Rev. S. L. Dubuisson—"During the course of the novena, (from the 1st to the 9th of March, 1824) Mrs. Mattingly was desperately ill. He saw her on the 29th of February, and on the 7th and 9th of March, always confined to bed, and frequently in those fits of coughing and vomiting of blood, which looked very much like her last struggles with death. When he left her, about half past ten o'clock at night, she was worse than ever."

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Rev. William Matthews—"On the 9th of March, 1824, he visited her at night." "He left her at about half past ten o'clock, apparently in the jaws of death."

Thus, Most Reverend sir, it is incontestably established, that at about half-past ten o'clock, on the night of the 9th of March, this good lady was in the most debilitated situation that any living human being could be found, sinking under the torture and exhaustion of a disease, which during upwards of six years had been ravaging her constitution, and was pronounced by all who saw her, whether physicians or not, to be incurable. She had every symptom of death upon her; and if it was physically possible to remove her disease and heal that frame, so properly described as "the wreck of sickness and corruption," it would be in contravention of every law of nature that she could for a long time, if ever, gather that strength which would enable her to go through the exhausting labour which she underwent ere the lapse of twenty hours from this period. How many days of care, rest, nursing and sustenance cautiously administered, are required for the convalescent from an ordinary fever? What would be the fate of him, who, the instant that his pulse has resumed its natural beat, should rise from his bed and mix in the bustle of ordinary life?

My assertion then is, that if at this moment the disorder of Mrs. Mattingly had been removed miraculously or naturally, I care not which, she was in such a state of debility, that the mere removal of the disease would not be alone sufficient to enable her for some months, to resume the ordinary occupations of active life, but that for such a purpose a miraculous bestowal of strength would be farther required.

Let us, however, pursue the evidence, and we shall see that she was not restored at this hour. The persons who spent the night in her room together with herself, can now be our only witnesses.

Mrs. Sybilla Carbery, "at about eleven o'clock on this night, in answer to a question put to Mrs. M. of how she then felt, she replied, 'I am almost gone. If I die, aunt Carbery, will you love my children and pray for me?' and that in so weak a voice, as to seem almost extinct, which compelled this deponent to put her ear close to Mrs. M.'s lips, to distinguish what she said, and that at a little after two o'clock on the morning of the 10th, when this deponent again asked her the same question as mentioned above, she answered in the same low voice, 'almost gone.'"

Her sisters, Ruth and Catharine Carbery, remained with her that night, and testify, "all the symptoms of her case appearing to indicate that her death was fast approaching, and that up to the very moment before her sudden restoration to perfect health, these symptoms seemed more and more alarming." They also unite with Sybilla Carbery, Anne Maria Fitzgerald, and Mary Susan Mattingly, the daughter of Mrs. Mattingly, in testifying, that "she was so weak and low, that she appeared to spit with great pain and difficulty, and very little at a time." Those ladies have given me a particular description of the difficulty which they found towards four o'clock on that morning, in disengaging a small quantity of clotted blood from the patient's throat, so as to enable her to breathe. I have found on this as on several other occasions, how much more satisfactory and distinct the testimony is which one derives from *vivâ voce* examination, than from any written documents. I shall never forget the description to me of the occurrences of that morning!

Miss Fitzgerald testifies to "the dry and parched state of her mouth," at the very time of her receiving the communion, at a little after four o'clock, on the morning of the 10th, and "the delay occasioned by her violent fit of coughing."

Rev. S. L. Dubuisson himself, who arrived at about four o'clock on the morning of the 10th of March, (No. 32) states, "On my arrival, she was in the same state of extreme weakness and suffering (see what he says, p. 14, of the state in which he left her about five or six hours before) a paroxysm of her cough which came on, made me almost apprehensive lest she might be prevented from receiving the communion, but it proved of short duration." "She would help to fix it (a towel), but finds herself unable to raise her arm."

Thus, the evidence of her sickness, prostration and worst symptoms, is brought to the moment of her receiving the holy communion, at a little after four o'clock, on the morning of the 10th of March, 1824.

Let us now turn to her own account. She states, in the supplement to No. 1, "Such in fact was my exhausted and debilitated state, that it was with great difficulty I could spit at all during that night, and what I did spit was in smaller quantities than usual." "The lump on my side was so inflamed and so painful, that I could not suffer my arm to touch it; and the sinews of my arm being contracted, I could not keep it entirely from touching my side. In this distressing situation, I calmly and without agitation of mind, awaited the final close of my earthly misery." In the affidavit (1)

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she states, "the holy Eucharist was administered to her by the Rev. Mr. Dubuisson, at a little after four o'clock on the morning of Wednesday, the 10th of March, 1824;" "the pain and sickness, at the moment after receiving, were, if possible, greater than at any former time, and so intense as to threaten her immediate dissolution." "Finally she declares at the moment of receiving the blessed sacrament, she felt so extremely ill, that believing the time arrived when she must either die, or, through the mercy and goodness of God, be restored to health, she made this mental prayer or aspiration; 'Lord Jesus! thy holy will be done.'" "That in consequence of the hard and dry state of her tongue, at the time of her receiving the blessed sacrament, five or six minutes elapsed before she was able to swallow it."

Miss Anne Maria Fitzgerald testifies: "I saw him put the blessed sacrament on her tongue; in consequence of the dry and parched state of her tongue and mouth, she appeared to have some difficulty in swallowing it."

Thus up to the instant of her swallowing the holy sacrament of the Eucharist, all the symptoms have continuedly a fatal appearance. A few minutes elapsed between her receiving the sacrament on her tongue and her swallowing it, and during these minutes no change takes place.

Mrs. Mattingly informs us, (1) "*directly* having done so (swallowed the sacrament), she found she was *relieved from all pain and sickness*." "She immediately found herself able to arise from her bed without any assistance, and in presence of Mr. Dubuisson, and her relatives and attending friends, kneel in thanksgiving to Almighty God." (Supplement to No. 1,) "when *suddenly* in the *twinkling of an eye*, all pain left me, MY BODY WAS ENTIRELY HEALED, and I found myself in PERFECT HEALTH."

Ruth Carbery and Catherine Carbery state,(3) "that they were present on the morning of the 10th of March, 1824, when Mrs. M., their sister, received the blessed sacrament from the hands of the Rev. Mr. Dubuisson; and that in a few minutes afterwards, a little after four o'clock, they beheld her rising in her bed—putting on her stockings, which they believe she had not done for some time before—leaving her bed and falling on her knees before the adorable sacrament." They call it "her *sudden* restoration to *perfect health*."

Sybilla Carbery "was present in the chamber of the said Mrs. Mattingly, a little after four o'clock on the morning of the 10th of March, 1824, and saw the Rev. Mr. Dubuisson administer to her the sacrament of the holy Eucharist. That a few minutes after Mrs. Mattingly had received the blessed sacrament, this deponent saw her rise in her bed and heard her exclaim, 'Lord Jesus! what have I done to deserve so much?' or some similar expression; and saw her in a few minutes afterwards arise from her bed, draw on her stockings and fall upon her knees to offer up her thanksgivings to Almighty God." "When Mrs. M. rose from her bed, on the morning of the 10th of March, she appeared to this deponent to be in *perfect health*, with the exception of her being greatly reduced in flesh, and, although her face was emaciated, her countenance was serene and cheerful. It might be well to give here the description which Captain Carbery gave of her face just previously, "her cheeks flushed with hectic fever—her countenance greatly distorted with pain."

Miss Fitzgerald—"In a few minutes after she had received it (the sacrament), I saw her raise herself in the bed with her hands clasped, and heard her exclaim in an audible voice: 'Lord Jesus! what have I done to deserve so great a favour?' The Rev. Mr. Dubuisson then asked Mrs. Mattingly how she felt. She replied, 'I am perfectly well.' He then inquired: 'Entirely free from pain?' She replied, 'I am entirely free from pain—no pain at all.' 'Not even there?' said he, pointing to her left side. 'No,' she replied. Her stockings were then brought to her, which she drew on, and got out of bed with apparent ease, and without assistance. She then knelt and continued about a quarter of an hour before the blessed sacrament, which was on an altar which had been prepared for the occasion. About this time, her brother Thomas came into the room; when she arose from her knees, and raised her arms, and said, in a transport of gratitude, 'See what God has done for me! I have not done this for years.' After this, she joined the family in prayer, for a considerable time, without the least apparent inconvenience."

Mr. Dubuisson, after describing his folding up the sacrament, left after giving her communion, which occupies generally three or four minutes, says, "When behold! Mrs. Mattingly fetches a deep sigh—rises slowly to the sitting position—stretches her arms forward and exclaims, with a firm, though somewhat weak voice, 'Lord Jesus! what have I done to deserve so great a favour?' The emotion, the affright of the persons in the room, is betrayed by sobs and tears, and half-suppressed shrieks. I rise with a thrill through my whole frame; step to the bedside—she grasps my hand—'Ghostly father,' she cries out, 'what can I do to ac-

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knowledge such a blessing?' My first, my spontaneous expressions are, 'Glory be to God! We may say so! Oh! what a day for us!' I then bid her say what she felt. 'Not the least pain felt.' 'None there?' said I, pointing to her breast. 'Not the least—only some weakness.' I ask her how she has come to be relieved. She had felt as if she were dying from excess of pain—had offered up a short prayer of the heart to *Jesus Christ*—and instantly found herself freed from all sufferings whatever.

"'I wish to get up,' she exclaims, 'and give thanks to God on my knees.' 'But,' I replied, 'can you?' 'I can, if you will give me leave.' Her sisters immediately look for her stockings, (she used to lie in bed nearly dressed,) but upon my observing that our very first occupation should be to give thanks, we kneel down—she remains sitting in her bed—and all recite three times, the *Lord's Prayer*, with the *Hail Mary*, and *Glory be to the Father, and to the Son, and to the Holy Ghost*, as also the short ejaculatory prayer, *Lord Jesus, may thy name be glorified*. She joins with continued firmness of voice, (I then looked at my watch: it was twenty-two minutes after four. I accordingly estimated that the cure had been effected at about fifteen minutes after four.) Directly after, her stockings are brought; she is surrounded by her friends; gets up and walks, unassisted, and with steady deportment, to the table, dressed in the shape of an altar, on which the blessed Eucharist lay, there bends her knees, and remains for a while lost in an act of adoration."

We now have the testimony of Mrs. Mattingly, Rev. S. L. Dubuisson, Mrs. Sybilla Carbery, Miss Ruth Carbery, Miss Catherine Carbery, and Miss Mary Anne Fitzgerald, who were all present, to show us the suddenness and the perfection of the restoration. Here are six good witnesses; but mark, Most Reverend sir, the circumstances under which the testimony is given. They had frequent, and long, and painful opportunities, in common with many others, of previously knowing the dreadful state of the subject of this restoration; her description of her own feelings agrees perfectly with their account of her symptoms, whether of illness or of health, and we shall see that other witnesses now soon crowd in so as to put it out of their power to combine successfully in pretending that there was such a recovery, when in truth there was not. There is in addition to this the testimony of a young lady whom I saw at Capt. Carbery's in last September, who, though present, sought as much as possible to avoid coming forward; this is Miss Mary Susan Mattingly, the daughter of the lady who was restored, and who unites with the other ladies above named in the affidavit (6) in calling it a *sudden restoration to health*, and states that she "was present at, and witnessed her wonderful cure."

I now come to take a new view of the evidence, and to prove by the subsequent witnesses that she must have been cured at that time, and that the restoration was perfect and sudden, and not gradual and in the natural manner. Mr. Dubuisson well says that his impressions could not be more profound "had he seen Mrs. Mattingly dead and raised to life again;" her action "and tone of voice denoted soundness of mind as well as of body;" "something in her look and features, which he shall not undertake to depict, an expression of firmness, and of earnest, awful feelings, the recollection of which it will be his consolation to preserve through life."* * * *

Mr. Dubuisson left Mrs. Mattingly about ten minutes after her cure. Mr. Matthews says that Mr. D. immediately hurried back to inform him that Mrs. M. was instantaneously restored to perfect health after receiving the sacrament. It is likely that the news was quickly spread abroad, for many persons told me that they heard it before six o'clock in the morning. Mr. Kohlmann states, that he said mass in the chapel at Georgetown, at half after three in the morning, and in an hour or two afterwards, learned that Mrs. M. had been suddenly cured at fifteen minutes past four o'clock. You are well acquainted with the site of Capt. Carbery's house, where the restoration took place. It is near the residence of Gen. Van Ness, about a furlong southwest of the President's House. Mr. Matthews' is at St. Patrick's Church, in F. street, about the same distance east of the public offices; you are also aware that the College of Georgetown is about two miles in an opposite range from Capt. Carbery's, and spreading in both these directions, the news was quickly disseminated, and was of such a nature as to excite a reasonable curiosity. Miss Fitzgerald informs us, that while she was first at prayer and probably whilst Mr. Dubuisson was in the room, "her brother Thomas, in whose house she resided, came into the room; when she arose from her knees and raised her arms, and said in a

* [An allusion was here made to some private disclosure of the patient to the Right Reverend author; but, as it is necessarily impossible to explain this in such a way as to throw any light on the narrative, it has been thought expedient to suppress it.]

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transport of gratitude, 'See what God has done for me; I have not done this for years.' After this she joined the family in prayer, and for a considerable time, without the least apparent inconvenience." Her brother Thomas now describes her symptoms—"In a few minutes after her restoration he felt her pulse, and it was regular and healthful—for the first time in six years, her spittle was white and like that of a healthy person—the lump on her side was gone, and in fact, to all appearance, there was not the slightest vestige of disease left." "All this complicate machinery of the human system, so much deranged and out of order, beyond the reach of medicine and of medical skill, was, in the twinkling of an eye, restored to the most regular and healthful action." "On the morning of her recovery, she ate a hearty breakfast." I found upon inquiry, that she breakfasted before seven o'clock that morning, after a good deal of exercise in going to various parts of the rooms, and opening and examining drawers, some of which were very heavy.

She stated herself, "that from the moment of her restoration her appetite has been perfectly good, and while (on the 24th of March, 1824) she is rapidly regaining her natural strength and flesh, no symptom of disease, or the slightest indisposition of any kind has been felt by her, and that in place of the former disagreeable taste in her mouth, she has constantly had a sweet taste nearly resembling that of loaf sugar."

Her sisters depose "that she ate several times that morning, (the 10th of March,) and has continued to show as good an appetite as other persons in perfect health."

The number of persons who, in the interval, learned the event, now began quickly to pour in, and her brother Thomas informs us, "her bodily strength has been put to the severest test, in receiving many hundred visitants, drawn to his house by this signal and wonderful work of God." Hence, at an early hour on the same day, the fact of her perfect and sudden restoration became more notorious in the federal city than that of her hopeless and death-like condition had been on the previous night.

I shall now, sir, bring into view the subject matter of the affidavits which I procured in last November. They are marked 34, 35, 36, and 37, and contain the direct and circumstantial testimony of herself, both her sisters, and her aunt, to prove that her loins, back, and shoulders were in a state of high and painful ulceration, previous to and on the night of the 9th of March, and up to the moment of her restoration on the morning of the 10th. The very state in which she lay would, independently of any direct testimony of the fact, show that such naturally ought to have been the case. Her affidavit (1), stated, that having swallowed the sacrament, "she found that she was relieved from *all pain* and sickness." The supplement to No. 1 states, "In the twinkling of an eye, all pain left me—MY BODY WAS ENTIRELY HEALED." Those expressions would cover the entire case; but as my inquiries were, for the reason originally stated, drawn particularly to this as an extremely strong feature of the event, I prefer having special reference to the testimony which bears directly upon it.

Her own description is distinct, vivid, and natural. "The skin having been broken through in several places, and ulcers having been formed," the sensation she felt was generally like "that of severe burning." She describes the dressing of these sores, and their adhesion, the pain she underwent in the change of her inside clothing, especially the great soreness and the dressings within the week previous to her restoration, and her sensation of that soreness and of the adhesion just previous to the restoration itself, and her submission to that pain rather than undergo the torture of a new dressing at a moment when she calmly awaited death as a delivery from her sufferings.

Her sister Ruth testifies to her having, during a long period, complained of the sore and ulcerated state of her back, her frequently preparing and giving the soothing preparation to be applied thereto, and receiving that which had been removed, and which too distinctly bore testimony to the high state of the ulceration. She testifies to the clothing both of the body and of the bed evincing the same, "that she has often seen the shoulders of her sister highly inflamed, having running sores," and this continued up to the 10th of March.

Her sister Catherine, testifies the complaint of the patient of the soreness of the back and shoulders; her frequent assistance in giving the lenitive preparation to be applied thereto, and her receiving what had been removed therefrom, all bearing distinct evidence of the existence of the ulcer. She also testifies to her sister's complaining of the adhesion of the clothing to the sore, and the evidence of the truth of this complaint in the appearance of the clothing itself, and that this continued up to the 10th of March.

Her aunt, Sybilla Carbery, testifies to the patient's complaint of the soreness and serious ulceration of her back, and to her having frequently seen the lenitive prepared for the purpose of being applied; and the general conviction in the family that on the

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morning of the 10th of March it was in as sore and ulcerated a condition as it had been at any previous time.

I would here remark, that, upon inquiry, I found that Mrs. Mattingly, upon some occasions, would permit only her sisters to assist in what she considered the more painful, unpleasant, or delicate duties about her person; that, generally, perhaps always, as Mr. Dubuisson testifies, "she used to lie in bed nearly dressed;" and hence even Mrs. Sybilla Carberry was not employed in administering the lenitive preparation for those ulcers, nor in receiving what had been removed. Moreover, the same feeling of extreme delicacy gave no opportunity even to her sisters, of seeing the more ulcerated portion of the body,—and one of them, Catherine, though under the impression that she must have seen the shoulders in their state of ulceration, could not bring it so distinctly as she could wish to her recollection. Being myself fully convinced by the testimony of Mrs. Mattingly, and from the plain nature of the case, I was not anxious to inquire what other testimony could be adduced for this part of the case; but I was informed by several respectable persons, in Washington, that, immediately on the promulgation of the fact of restoration, this circumstance was as generally known as any other, —though the excitement which the whole case produced, and its palpable evidence, caused minds to contemplate the whole case, rather than to come to the consideration of particulars. It is thus fully in evidence, that, at the moment of her receiving the holy Eucharist, her shoulders and loins were in a state of great ulceration, with the clothing painfully adhering to the ulcers.

There are many other particulars relative to the state of the bed and clothing, which I have learned in conversation with Mrs. Mattingly and her sisters,—quite analogous to a fact which will be developed in the examination of Mrs. Mattingly's affidavit (34), that might, with propriety, be introduced here; but they are not stated in the sworn documents, and I did not myself fully comprehend their full force and bearing, until I had a conversation upon the subject with one of those ladies, after the affidavits had been completed. However, their exhibition would not convince the persons who will resist the evidence which I publish and examine. I shall, therefore, confine myself strictly to what is testified upon oath, by witnesses not only unimpeached, but confessedly unimpeachable, and regarding plain and obvious facts, in which there could have been no delusion.

I now proceed to show that the back and shoulders were also instantly healed, as soon as she had swallowed the sacrament.

In the first place, I refer to the expressions of her original affidavit,(1) "that she was at that instant 'directly relieved from ALL that pain and sickness, which, at the moment of receiving, was, if possible, greater than at any other time, and so intense as to threaten her immediate dissolution." In the supplement to(1) she swears, "when suddenly, in the twinkling of an eye, ALL pain left me, MY BODY WAS ENTIRELY HEALED, and I found myself in perfect health." She states,(34) "On the morning of her said restoration, and just previous thereto, she felt the clothing of her back adhering to the ulcers of the back, so as to be extremely painful, and it would have been a serious relief to her to have them dressed,—but her state of exhaustion and weariness was such, that she preferred suffering the pain of the undressed sore, than submit to, or make the exertion of dressing it." It is then clear, that a great portion of her pain arose from those ulcers, and that they were not dressed, and that she was directly relieved from *all* pain, and, of course, from the pain of the ulcers. But not only does she swear that *all pain* left her, but that *her body was entirely healed*,—which would not be true if the ulcers were not healed. In the affidavit(34) she distinctly refers the expression, "instantaneously and perfectly freed from all pains and sickness at about four o'clock in the morning," to the previous statement of the ulcerated state of her back as given above.

Mrs. Sybilla Carbery(4) swears, that "when Mrs. Mattingly arose from her bed on the morning of the 10th, she appeared to be in perfect health, with the exception of being greatly reduced in flesh." Were she then suffering under a greatly ulcerated back, it would be another very serious exception.

Miss A. M. Fitzgerald(5) testifies Mrs. Mattingly's declaration to Mr. Dubuisson immediately, "I am entirely free from pain—no pain at all,"—a declaration altogether incompatible with the continuance of the ulceration, but fully in accordance with her own statements, and with the testimony of Mr. Dubuisson himself. "Not the least pain left." "None there?" said I, pointing to the breast. "Not the least—only some weakness." * * * "Instantly had found herself freed from *all sufferings whatever*."

I might well rest the case here, and merely add the notorious fact, that, from that moment forward, she has never found

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the least soreness or tenderness in the parts which had been thus ulcerated. I might also advert to the impossibility of a lady with an ulcerated back performing what we shall observe her doing on that same day, and feel that my position was firmly sustained by her own direct testimony, and the corroboration which is thus given. I shall, however, advert to more special evidence. We can well and easily conceive the sensations excited in this family. Mr. Dubuisson states his own, and he was not singular,—for the principle of our nature is in every individual the same. Peculiar circumstances will develope or restrain it, but its foundation and nature is in all human beings the same. Her family looked upon her this morning with wonder and with awe. They beheld in her a most extraordinary instance of the merciful and miraculous interference of Him, who gave laws to nature, and can suspend or contravene those laws at his will. Occasionally they hesitated to approach her. They doubted the testimony of their senses. They doubted the accuracy of their recollections. They saw now the most active, the most sprightly, the most healthful amongst them, that very being whose dissolution they had so long considered as immediately inevitable,—whom they viewed as one summoned by an irreversible decree to the world of spirits,—and now they could scarcely imagine her mortal. Their expressions to me were, that she seemed to them as the inhabitant of another world, who had suddenly made her appearance on this earth. No wonder that, under such circumstances, there should be delayed all that critical examination which a philosopher would, in his abstraction from ordinary life and extraordinary circumstances, require! Yet, after all, the best testimony of fact is that which is given by nature surrounded with her own circumstances. The mind is not prepared, in such a case as this, with all the novelty, the freshness, the astonishment, and the awe of such a scene, to enter into a close and critical examination at the instant. Some succession of occasions suggests the succession of inquiries, until that which is effected in a moment, becomes developed in detail. So it is in the ordinary events of life, in the usual occurrences of nature. If, by sudden assault, a city is laid waste, the events of an hour are only developed by the examination of days; the sudden devastations of the whirlwind are only discovered and enumerated after the terror of the scene will have passed away; weeks will have elapsed, and the mind, already informed of extensive details, expects to learn more. The effects produced in a moment, are not always discovered at the very instant they occur.

Not only was this family agitated in the manner which I have attempted to describe,—but the lady herself, placed in a new and unexpected situation, had new and unexpected wants, which, after the first moments given to prayer and to congratulation, obtruded themselves upon her. I state here the result of my inquiries in the family. Mrs. Mattingly had been so long confined to bed, and there was so little expectation of her recovery, that, amongst other circumstances, her wardrobe was altogether neglected. She lay in a bed-dress, and in that costume she had risen, merely adding stockings and such slippers as could first be found. Almost immediately, inquiries were made, and visiters were evidently to be expected. She herself commenced a search and an arrangement of her drawers to procure some clothing better suited to the circumstances, than the apparel she wore. Breakfast was served; her appetite, fully established, was pressing, and it was satisfied; the arrangement of her wardrobe was resumed; and a little tired by this very unusual exertion, she flung herself into a low chair with a hard back; and with that flow of spirits for which she was remarkable some years before, she was making a cheerful observation to her aunt, and as she made it, leaned back upon the chair. Then, for the first time, at about seven o'clock on the morning of her restoration, her aunt adverted to the state of her ulcerated back, (34, 36, and 37.) But, with the consciousness that her *body was entirely healed* at the moment of her restoration, and also from her subsequent experience, she immediately answered, "No, Aunt Carbery, it is perfectly well." She then retired, for the purpose of changing her dress, and also to satisfy a very natural curiosity, by examining her back. Her own oath satisfies us, that so far as it was possible for her to examine and observe, she found her entire back and shoulders perfectly whole and sound, and free from any pain or tenderness, or appearance of ulcer, or of a healed sore, but the skin altogether continued, unbroken, and as if it never had been sore."

Her sister, Ruth Carbery, swears,(35) that Mrs. Mattingly "continually declared that her back and shoulders were then *instantly healed*," that is, on the 10th of March.

Catherine Carbery, from the account which she gave me, must, I am convinced, have been present at what she describes, as having either occurred in her presence,

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or as having been immediately communicated to her. In the one case, she would be a witness to the whole transaction; in the second supposition, she would corroborate the direct testimony of others, by her evidence, as to the general sentiment, at the moment, in the family, "that, after examining herself, her sister returned, declaring that her back was perfectly healed, and that the skin upon the place which had been sore, was as smooth as was that upon the back of her hand."

Mrs. Sybilla Carbery relates the whole transaction,(37) adding, that the skin upon the back of Mrs. Mattingly's hand, to which she compared that upon her back and shoulders, "was whole, entire and sound."

I trust, then, Most Reverend sir, that it will appear fully evident, that the ulcerated back and shoulders were instantly healed, as soon as she had swallowed the holy Eucharist.

I shall now briefly advert to one other fact, the truth of which, so far as documents or oaths go, must rest upon Mrs. Mattingly's own sole testimony. The entire of that testimony is contained in the document.(34) She there informs us, that just before the restoration, "she felt the clothing of her back adhering to the ulcers of the back, so as to be extremely painful." And she tells us, that, upon the examination which she made after the remark of her aunt, she found "her clothing perfectly free from any appearance of having adhered to an ulcer, though she was perfectly and painfully conscious thereof within the space of four hours before this examination." "She had not previously changed the inside clothing which she wore during the night." But I would neither do justice to my own conviction, nor to the case, unless I added to this my assurance, that, after the conversations I have had with Mrs. Mattingly and other members of her family, I am perfectly convinced that, were I disposed to collect and to publish the testimony in relation thereto, it would appear to the satisfaction of every unbiassed, impartial, and judicious reader, unquestionable, that as miraculous a change took place in the state of the clothing of the bed and of the body, as there did in the state of the body itself.

I have now, Most Reverend sir, closed my examination of the direct testimony immediately bearing upon the miracle itself. The witnesses, who now come in crowds, will merely show it consequentially; for they all find her in that state which cannot be accounted for upon any other ground than of a sudden restoration. I shall not, therefore, do more than enumerate a few of the principal persons, and make a general reference to their affidavits, or certificates.

Rev. Mr. Matthews, who had seen her "at about half past ten o'clock, on the night of the 9th, apparently in the jaws of death," informs us, that having been informed by Mr. Dubuisson, who hurried back for the purpose, that "she was instantaneously restored to perfect health, after receiving the blessed sacrament," "he went down to Captain Carbery's, to view the astonishing event. When he arrived, Mrs. Mattingly opened the door! and with a smiling countenance shook his hand. Although prepared for this meeting, he could not suppress his astonishment at the striking contrast produced in her person in a few hours. His mind had for years associated death and her pale and emaciated face. A thrilling awe pervaded his whole frame." I do not know whether this be the same interview which Rev. Mr. Dubuisson describes, but I suppose it is. Though I conversed with the Rev. Mr. Matthews upon the subject, fully and closely, my memory does not serve me accurately here; but I am under the impression that it was probably near ten o'clock before this interview took place, and that nearly eleven hours had elapsed between his two visits. Mr. Dubuisson states that he left Washington in the stage, which departed for Baltimore at eleven o'clock; and just before his setting out, "he went down, in company with the Rev. Mr. Matthews, to see Mrs. Mattingly again. She came and met us at the door, knelt down to receive her pastor's (Mr. Matthews's) blessing; in short, looked and acted as one perfectly restored to health, who has only more strength and flesh to recover." Hence, though this was at most but six hours after her restoration, she was now able to go to the door to receive her visiters in perfect health, and not in gradual convalescence.

Rev. Anthony Kohlmann informs us, that at about five or six o'clock in the morning of the 10th, "he learned that Mrs. Mattingly had been suddenly cured at fifteen minutes after four; and about nine o'clock, on the same morning, he with his own eyes beheld her restored to that health of which it was so universally believed she was bereft for ever." "Her sudden recovery fell hardly short of a resurrection from the dead; nothing, indeed, but divine omnipotence being capable of reorganizing, with a perfect state of health, such a frame as hers was, the wreck of sickness and corruption." He had seen her about ten hours before, having "all the appearance of a dying person."

There was no concealment of the lady; no

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backwardness to admit visiters; no caution to avoid breaking the repose of a convalescent. Mrs. Christiana Hobbs swears, that on the 10th of March, "at about eight o'clock in the morning, she received a letter from Captain Thomas Carbery, conveying the pleasing intelligence, that at a quarter after four o'clock, Mrs. Mattingly left her bed in the most perfect health."

Mrs. Mary Jane Andrews swears, that "understanding on the morning of the 10th, that she (Mrs. M.) had been suddenly and in a most extraordinary manner restored to perfect health, she visited her, and found her to all appearance perfectly well, walking about the room, and cheerfully conversing with her numerous friends, and other persons, who had resorted to the house to see her after her wonderful cure."

Mrs. Eliza Cassin "went on the morning of the 10th, at about ten o'clock, to Captain Carbery's, in the expectation of finding Mrs. Mattingly dead or dying; but on arriving at the house, to her great astonishment and wonder, she was told that Mrs. M. was well, and on entering her chamber, found her on the bed. She shook Mrs. C. by the hand. Before Mrs. C. left the house, she saw Mrs. M. get up and meet the clergyman at the door; and except in her loss of flesh, had, to this deponent, the appearance of being in sound health, and in possession of a fine flow of spirits.

Miss Eliza Miller, Miss Harriet Miller, and Miss Louisa H. Berryman swear "what they felt on the morning of the 10th of March, upon receiving the news that she (Mrs. M.) was perfectly well, and themselves seeing her at about ten o'clock. actually in good health, they cannot describe." They left her late on the previous evening, "under the impression that she was in a dying condition."

Mr. George Sweeny, then principal clerk in the post-office, swears that, "having heard on Wednesday morning, the 10th of March, that Mrs. M. had been suddenly restored to perfect health, he visited her, in company with Mr Nathan Smith, of Washington, at about nine o'clock, A. M., and that upon his entering her chamber, she arose from the bed on which she was sitting, walked briskly across the floor to meet him, and shook him heartily by the hand."

Dr. Wm. Jones, the present postmaster, certifies that, "on Wednesday, the 10th of March, by the personal request of Captain Carbery, who assured him that his patient was cured, he called, and to his great surprise and gratification, she met him at her chamber door, in apparent health." I have not conversed with Dr. Jones upon the subject, as I was informed that he did not wish to be examined upon the case, and that he expressed some regret at having given even that sort of certificate which has been used. I have known similar instances of reluctance; and the ground which has been more than once alleged, was stated to be the apprehension that certificates used for such purposes would not ingratiate the physician who gave them to the Protestant families in which he was employed. In making these remarks, I do not intend to convey any unkind or unpleasant imputation against Dr. Jones, but to assign the reason for my not having conversed with him when on the spot and engaged in the investigation. The certificate is, of course, perfectly true, and the restoration to health has been proved by a test of six years to be a reality; besides, on the 30th of the same month, after a lapse of twenty days, the doctor assures us that "he saw Mrs. Mattingly to-day, and is happy to have it in his power to say that she continues well." A prudent witness, like Dr. Jones, is certainly preferable to one who would be over zealous.

Mrs. Mary H. Fitzgerald "heard she was restored to health; when, on the same day, (the 10th of March,) she paid her a visit, and, to her great astonishment and satisfaction, she found her in apparent good health, perfectly cheerful, and conversing with her numerous friends."

Mr. James Carbery, "on Wednesday, the 10th of March, about noon, was with her. She was then free from pain, experiencing no uneasy sensation in her side, stomach, or arm; the voice and countenance restored to their natural tone and expression; all was placed in perfect health. Emaciation and weakness alone remained; still she was strong enough to walk about the room and converse with a great number of persons, without any apparent inconvenience to herself." She declared to him, "that God had instantaneously restored her to health at a quarter after four o'clock that morning."

Justice Wharton, "on Wednesday evening, the 10th of March, found her well; visited her every day from the 10th to the 15th, (affidavit sworn to on the 16th,) and has found her quite well, walking about the house, and giving the most undeniable proof of her perfect, and, as he believes, miraculous restoration to health."

Alderman Hoban saith that, "at an early hour on the 10th of March, he was informed that Mrs. Mattingly was suddenly restored to health; that he called to see her the evening of the same day, and on entering her chamber, she took him by the hand, meeting him with a cheerful countenance,

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and assured him that she was in perfect health."

Dr. Thomas C. Scott, still residing in Washington, with whom I repeatedly conversed on this case, states that, "it being announced on Wednesday morning, the 10th of March, that Mrs. Mattingly had been suddenly restored to health, he visited her that evening, in company with several gentlemen. On entering her room, he was struck with surprise to find her standing, engaged in a lively and cheerful conversation with several persons who had preceded him, evincing a system tranquil and harmonious in its operations, free from disease or suffering. The ravages of her sufferings were strongly marked by very considerable emaciation and a very pale countenance." "Notwithstanding she had been engaged in conversation from early in the morning to the hour of my visit, about eight o'clock, in detailing the history of her cure, she was perfectly free from the slightest cough, and in the free exercise of that arm which had been wholly useless, from the great pain attending its use. Mrs. Mattingly assured him that she felt as well as ever she did; and as far as an opinion could be formed from her appearance, he considered her in perfect health, without a vestige of disease, except what he had previously mentioned."

Catherine N. Cleary swears that, "she saw her on the 10th of March, when her cough and every symptom of disease had left her." But surely I need go no further. We have here, including the lady herself, seven witnesses who give direct evidence of the fact of sudden restoration; her brother, the mayor, who is a witness to the state of perfect health in a few minutes after the occurrence; we have testimony from several witnesses that the fact was proclaimed abroad, early that morning, in the federal city and district; and sixteen other witnesses, who themselves saw and conversed with her, whom she took by the hand, to and with whom she walked, in the midst of whom she stood, and they accompanied by numbers of others. I was told by her and by the family, that through the entire day, from an early hour in the morning until nine o'clock that evening, the house was thronged with visiters; and all who chose to come were indiscriminately admitted. Thus, at an early hour in the morning, and during that day, there was notorious evidence that Mrs. Mattingly was in that situation which inevitably leads us to conclude that the testimony of the direct witnesses to the sudden restoration must necessarily be true. It is the only way in which we can account for the cheerful, active, and healthy state in which she is found by those witnesses, and by the persons who, besides them, successively thronged to the mayor's residence, to see his suddenly restored sister.

Mr. Lewis Carbery finds her in perfect health, at nine o'clock, on Thursday morning, the 11th. Mrs. Baker testifies that when, on Friday the 12th, returning from the country, she visited Mrs. M., she found her in perfect health. Miss Booth, on the same day, finds her without any cough, and the use of the left arm perfectly restored.

Dr. Causin who, on the 10th, was informed by many persons that Mrs. Mattingly had on that day been suddenly restored to health, visited her on the invitation of Dr. Jones, about noon, on Saturday, the 13th. She appeared exceedingly cheerful, and remarked, she never felt better. Her person was reduced, but her countenance was sprightly, indicating ease and harmony throughout the system. She threw the left arm into a variety of attitudes, seemingly with as much ease as the other.

Captain Carbery tells us that "her bodily strength has been put to the severest test in receiving many hundred visitants, drawn to his house by this signal and wonderful work of God."

Rev. Mr. Dubuisson, on the 17th of March, states, "she is daily acquiring strength, as is witnessed, I may say, by the whole city, which flocks to Captain Carbery's house in order to see her."

Her sisters, Ruth Carbery and Catherine Carbery swear, of the 10th of March, "that on that same day, hundreds came to see her, with most of whom she shook hands and conversed, with manifest ease and satisfaction."

This, Most Reverend sir, is, I believe, as perfect and sufficient a body of evidence as could be required by anything short of absolute scepticism, to establish unquestionably the fact, that from the earliest hour on the morning of Wednesday, the 10th of March, 1824, Mrs. Mattingly was in such a state of health, activity, and cheerfulness, as must remove all doubt of the absence of that disease under which she had languished during six years previously, and under the influence of which she appeared to be dying during the preceding night. Let us then add to this, the positive and direct testimony of those witnesses who inform us that the restoration took place a little after four o'clock that morning, and that it was sudden—does not the whole relation cohere admirably? or is it possible for the mind to refuse its assent to the plain truth of the entire statement?

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If we had no evidence of her previous illness, strong as the testimony of eight credible persons including herself, of the highest character for integrity might be, who would testify that during that night she was desperately ill, and was towards morning suddenly restored, we might doubt the miraculous nature of the restoration. We may suppose that some sudden and extraordinary cause produced dangerous symptoms, which their terror had exaggerated, and their hyperbolic expressions, so natural on such occasions, had painted in colours far too vivid and glaring; and that without intending to deceive us, they were themselves under the influence of such excitement as to render them inaccurate and unsafe witnesses. We may also reasonably suppose that a cause which so suddenly supervened, was as suddenly removed, and the attack having been only very recent and of very short duration, the patient, though for the time greatly prostrated, was not seriously impaired in strength, and having been relieved, was, after the lapse of two or three hours, greatly refreshed, and felt not only a return of strength, but also a glow of cheerfulness and an excitement of spirits. But surely this cannot apply in any manner to our case. Here we have a wasting sickness of several years; we have the most distressing and palpable symptoms of disgusting decay; we have ravages of an unusual character, producing the most appalling effects, observed with almost every sense, by numerous witnesses during a series of years; eminent physicians proclaiming that death must be the inevitable consequence, as by every law of nature, it necessarily should; anxious relatives and assiduous friends, day after day, week after week, and month after month, expecting the moment of her dissolution; prudent clergymen daily accustomed to behold the symptoms of approaching death, in every shape, during a long portion of their lives, administering the last aids of religion, and departing under the impression that they and their penitent will not meet again, except before the throne of the eternal God. Here are opportunities which not only give facilities for accurate observation, and produce deep reflection, but which compelled the witnesses to the closest scrutiny, and kept the mind long and frequently engaged in the examination of the case. Novelty, surprise, confusion, haste, had for years ceased to exist; it was a long, familiar scene, to which calm and patient attention had, during a considerable period of time, habituated those by whom Mrs. Mattingly was surrounded or visited; for which and its natural results, every preparation that was necessary or becoming, had long been made. Never were witnesses better circumstanced to preclude the possibility of mistake. The lump, the pain, the fainting, the blood, the matter, the effluvia, the soreness, the plaisters, the state of the clothing, the difficulty and occasional inability to speak, the appearance of the tongue, the rejection of her sustenance, the distortion of her countenance—these and more than these, were too obvious, too frequently observed, seen by too many witnesses, and of too protracted a continuance to have been subjects of mistake. The persons who remained with her during the night of the 9th, and the morning of the 10th, in testifying the continuance of these symptoms to a particular moment, testify to us nothing more than what we know must have occurred; for it is plain, that being in existence they must necessarily have continued up to some moment when they disappeared. It is manifest that they did not exist on the next day, that is, on the 10th of March, nor did any one of them. The only question is, at what hour of the night they disappeared.

Had it been proclaimed on that day that this lady had recovered, but that it was thought prudent to keep her in retirement for some time, and that in the course of a fortnight, she was generally seen and found to be then in good health and excellent spirits, and that she and her family, or a few intimate friends declared that she had been instantly restored, though not publicly exhibited; I confess, though upon inquiry I might feel that the evidence gave satisfaction to myself, I would say there existed very questionable ground for my asking the public to give their assent, because the public had been excluded from the means of obtaining the satisfaction to which they were justly entitled—that of easy and early access. Hence, though I have been told of other restorations, both at Georgetown and Emmitsburg, which may probably be quite true, yet I have never even asked what were the circumstances of either case, because there was such a concealment of the evidence, as left me no room to exercise my judgment, and I am not, if I know myself, over ready to give my assent to statements of this kind without more substantial reasons than the conviction of their truth in the minds of persons probably of far greater sanctity than I can aspire to. God forbid that I should ever countenance the unbecoming expressions of one who affected to play the scholar at the expense of the saint, and wrote in derogation of sacred wisdom; yet, sir, I will express the wish that good,

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and venerable, and zealous persons would more generally act upon the maxim, that faith must have for its foundation proofs to satisfy the understanding. The submission which God requires is reasonable, and, therefore, I would say, that if Mrs. Mattingly had been shut up from public observation, until supposing the early part of the succeeding month, however respectable the testimony of her family and friends might be, still the evidence would not be in any way so satisfactory as it now is. But here this lady is actually accessible to all who choose to call upon her, and they naturally called at an early hour, and continued thenceforward uninterruptedly to call; and thus it is notorious that she was perfectly restored to health, at a very early hour on the morning of the 10th.

I now inquire whether there can be any reasonable doubt of the correctness and accuracy of the eight witnesses who tell us it was instantaneous. I must confess that I am at a loss to know upon what to found that doubt. The restoration is as plain and palpable as possible. But suppose for a moment that they were deluded. Were all those that came in hundreds that day deluded? Was Dr. Jones, deluded? Were they with whom she shook hands, with whom she spoke, and in whose presence she walked, stood, used her arm, ate, drank, made her declarations, were they all deluded? And if they were; when was she restored? Because of the fact of her subsequent and continued good health and activity, there neither was, is, nor can there be a doubt. We have then the positive testimony of a sufficient number of respectable witnesses regarding an obvious fact, the consequences of which are permanent, though the occurrence is transient; and we have this supported by such a mass of preceding and consequent testimony and circumstances, as gives to it the very highest grade of evidence. To reason farther upon its truth, would be to emulate the wisdom of the philosopher who, not satisfied with the evidence of the existence of the sun, by the immediate testimony of all the senses affected by it, and of the concurrence of all men in the similarity of that testimony, joined to the irresistible force of the perception compelling the conclusion, very wisely determined to disbelieve the fact, until he could frame a syllogism which would give more abundant satisfaction. I am not, however, just now disposed to range myself by his side; I shall therefore assume that the evidence is sufficient to prove the sudden and perfect restoration.

I hesitate, Most Reverend sir, whether I should for a moment turn aside to notice an argument which has been got up in this city, as soon as it was known that I drew some attention to the case. The mighty negative pregnant is this, "General Hayne was in Washington when this is said to have occurred. We asked him on the subject, and he told us he knew nothing about it, therefore, it cannot be true." I would answer, that Major Hamilton, who was also in Washington at the time, informed me that he had heard of it, but knew very little more of it than that it was very generally said the lady was very sick and was then well, and had been suddenly restored to health. Thus, I have positive opposed to negative of the same description, and every one will easily determine whether positive knowledge, or absence of information be preferable. I might suffer the apparent difficulty to be thus disposed of: but I wish to go a little further. Few persons respect General Hayne more than I do; and when I venture an opinion on his competency to give testimony in this case, I do it with all possible esteem for an honourable gentleman, in whose regard I have feelings of very great friendship. General Hayne goes to Washington for duties of altogether another description than would occupy me when I happen to be there. Whilst I was engaged in conversing with Mrs. Mattingly, or some of the witnesses in her case, probably my friend, the senator from South Carolina, was delighting the fathers of our Union with his rich and copious eloquence, and his speech might have been the topic of conversation through an entire half of the Union whilst I remained in total ignorance of the fact that he made such an oration. Could any reasonable man doubt the fact because of my want of information! Those occurrences which are in my estimation of high importance, are perhaps scarcely considered worthy of a thought by the senators of the United States. But I now say, that even at this moment, if the honourable senator will vouchsafe to visit Mrs. Mattingly and converse with her, I will leave it to him to decide upon the truth or falsehood of her sudden restoration, on the 10th of March, 1824. I respect his judgment and integrity so highly, that I shall be satisfied, if he will but investigate. And, indeed, I can scarcely think that it is likely that he heard nothing of the occurrence at the time. I am more inclined to suppose, that if the use which has been made of his name is correct, he did not look upon it as worth recollecting. General Hayne and I might take very different views of the consequences of the fact. Whilst I view them as more im-

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portant than any subject which it is his duty as a senator to investigate; my honourable friend would probably feel quite astonished at this declaration. You will excuse me for this apparent digression; but it meets the only objection I have heard raised to the occurrence, and the same principle which turned his name to account here, would probably turn other names to the same purpose elsewhere.

I shall conclude this part of my examination, with a short reference to the principal topics laid down by Paley, respecting the evidence of miraculous facts. (*Evid. of Christ.* Prop. ii. c. 1.) I select this author, not because I look upon him as equal to some of our own upon the same subject, but because his work is more generally accessible in this country, and is that usually studied in lay colleges in our States.

I. This is even as yet cotemporary history. The fact took place in March, 1824, and the documents, with the exception of the last four, were published in the month of May, of the same year. I will here remark, that Archdeacon Paley, in his effort to discredit the miracles of St. Ignatius of Loyola, in this place, is guilty of the most palpable falsehood; but this is not the place to treat of that subject. I only look to his principles.

II. The publication was made in the city of Washington. St. Francis Xavier is also treated in this place with similar injustice to that which his principal had received in the previous case.

III. This is no transient rumour, nor has the story dropped, nor was it permitted to pass without contradiction and controversy. I shall have to examine some of the notable efforts made on the spot immediately, to contradict it's being a miracle. No attempt was made to deny its truth.

IV. It is more than naked history, for it created great interest on the part of some to contradict, and of others to maintain it.

V. There can be nowhere found greater particularities; names, dates, places, circumstances, and the order of events are all given most definitively and accurately, and the persons all well known in our principal city; one of them the mayor of that very city; the subject his sister; the witnesses members of his family, eminent physicians, respectable clergymen, public functionaries, aldermen, justices, ladies of respectability, &c.

VI. It required more than an otiose assent, for interests of religion were deeply involved; some persons changed in consequence of believing it; and it did not pass without inquiry and resistance.

VII. Though it was in affirmance of opinions formed by some, it was in contradiction to opinions formed by others; it made converts; "it was a Popish miracle in the midst of Protestants." It was impossible to consider it what is called "a pious fraud," a term which is too often thoughtlessly admitted, or wickedly applied, as if any fraud could be pious, or as if any, under the pretext of piety, were not impious.

Shortly after the publication of the documents in May, 1824, a pamphlet was published and widely circulated, in answer thereto. It was printed in Georgetown, in the District of Columbia, by Mr. James Dunn, and was anonymous. I do not recollect to have seen any other publication professedly in opposition, though there were several essays of various length and [character] in many Protestant periodical publications. This pamphlet, however, contains all that was adduced in opposition, better digested, if I can call "less badly" *better*, than any of the others. I shall not undertake to review its abuse, ridicule, and sneers, but I shall select all that it contains bearing any resemblance of reasoning.

The writer "undertakes a fair examination of the documents." In his page 5, he states, "On the 10th of March the cure was effected. Instantly it was given out by the priests and ladies, in conversation and in letters, by common report and in newspapers, that a *wonderful miracle* had been wrought, evident to the senses, which none who beheld the astonishing testimony could doubt. Thousands went to view the lady who had so marvellously recovered." "The most industrious efforts were used to propagate the miraculous story to every region of the neighbouring states." This is a full confirmation of the position that there was no concealment. The writer labours to show that the fact which caused all this noise was not worthy thereof, and that all were disappointed at discovering that there was no miracle; a number of comments upon the Council of Trent, and surmises why the documents were not more speedily published. The writer makes, in his page 8, rather a strange avowal that he had prepared a refutation of the evidence before he saw it.

"For myself, I confess that though the fallacy of the once pretended miracle and the method of refuting its claims were always obvious, I did expect that the promised statement, in the hands of men who, whatever I may have thought of their learning, I supposed at any rate, had some ingenuity, would have been so prepared as at least to have fought a tolerable decent fight. With this expectation, from the beginning of the affair, I have devoted a considerable portion of attention to Catholic miracles, intending whenever the

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statement should appear, to undertake its exposure. Many sheets were written, a large view of the whole ground of miracles, including a sketch of those so peculiarly ornamental to the Popish history, was taken, and quite a laborious preparation accomplished; but so am I disappointed in the adversary to be contended with—he has fled the ground so entirely: so timid and suppliant is the front he wears, that to use the weapons already forged would seem too much in the vapouring spirit of a Quixote, not to oblige a complete change in my original plan. We need no mountain to crush a moth. But notwithstanding the actual relinquishment of the original ground, I shall still, for reasons which will appear as we proceed, consider the matter as if the object yet were to make us believe in the *miraculous* character of the cure."

His next ground is, that your venerable predecessor did not believe it to be a miracle; and he attempts to sustain this by forcing a construction on his letter, where, in licensing the publication, he does not use the word *miracle*. This I shall dismiss with the two remarks—1st, that he asserts what you know not to be the fact, when he asserts "the archbishop's letter is nothing more nor less than a refutation of the whole cause." His letter is the following:

A letter from the Most Reverend Ambrose Marechal, Archbishop of Baltimore, to the Rev. Messrs. Matthews and Dubuisson.

Baltimore, April 24, 1824.

"Reverend and Dear Gentlemen:—I have read, with considerable attention, the certificates relative both to the long and dangerous sickness of Mrs. A. Mattingly, and to the instantaneous and admirable cure, which she has obtained from the mercy of Almighty God. Such is the number of the witnesses—their well known integrity, candour and intelligence, that their testimonies are certainly entitled to the greatest respect and credibility, about facts, which were obvious to their senses, and which they had frequent opportunities of observing; and as the reading of these certificates may prove to the faithful a motive and occasion of praising the infinite goodness and power of God, and of serving him with increased fervour and fidelity, you have my full approbation to render them public, by means of the press.

"I remain, with respect, reverend and dear gentlemen, your humble servant,

"† Amb. Archbp. Balt."

My second remark is, that the miracle would not be the less true and evident, though Archbishop Marechal had denied both the one and the other; so that, without disrespect to his memory, his opinion weighs nothing in the examination of the evidence.

In his page 11, this writer states, that "there was room to believe that the persons concerned in the publication of the documents were doubtful whether to publish a statement or not." "As evidence of great hesitation, fear and controversy, no less than twice was the pamphlet set in type to the extent of *twenty-four pages*, and as often suppressed. This information is from those who, on account of their connexion with the mechanical part of the pamphlet, had every opportunity of knowing." This statement is made by an anonymous writer, who gives us no tangible witnesses; yet I could scarcely have believed that it would have been so distinctly put forth without some ground for its semblance of truth. The Rev. Mr. Matthews who prepared and published the documents, assured me that it was altogether false, and after the most minute inquiry, I could discover nothing which could lead me to believe that the writer was even misled.

In page 12, the writer states "I have no objection to believe that Mrs. Mattingly's cure has been extraordinary." "I should deny the disease to have been a cancer." I care not what it will be called, I only contend that it was a desperate and generally reputed incurable disease. I do not give it any name. "I should deny the cure to have been so sudden and so perfect as has been represented. I should be able to point out many gross contradictions in the several depositions, and by proving the real nature of the disease should show the restoration to have been much less unusual and wonderful than has been supposed." He denies not the restoration, but he denies that it was miraculous. I have not yet entered upon this part of the question. But previous to my doing so, I look for his exhibition of "gross contradictions."

In page 14, "he charges Mrs. Mattingly, Father Dubuisson, and the five ladies who were present at the time of the miracle, with suppressing the fact of a very considerable discharge of blood, &c., from the mouth immediately before the restoration. That such a discharge did take place, those in the way of conversing with Roman Catholics in the days of excitement and wonder, perfectly remember to have heard asserted over and over again. Intimate friends of Mrs. Mattingly and of the priest declared it. Those who went to behold the wonder heard of it in the house, and from the advocates of the *miracle*." To support this serious allegation, no witness is produced. I have examined closely, and been assured by all with whom I spoke, and they were Mrs. Mattingly and her attendants at the time referred to, as well as several of the family, and of the other witnesses who were continually in and near the house at the time alluded to, as well as the priests, that each and every one of the assertions contained in the extract, is a distinct falsehood. The

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effort which he makes to prove that they have admitted that an ordinary discharge of blood and matter took place, by swearing that they perceived no extraordinary discharge, is a miserable subterfuge of such a mind as I shall not describe. The whole passage will so perfectly characterize the piece that I insert it.

"I charge the depositions of those, who were present at the time of the *miracle*, with a very suspicious want of candour in their statements. Why do Mrs. Mattingly, Father Dubuisson, and the five ladies who were present, entirely abstain from all mention of a fact so important to the truth, as that of a very considerable discharge of blood, &c., from the mouth, immediately before the restoration? That such a discharge did take place, those in the way of conversing with Roman Catholics, in the days of excitement and wonder, perfectly remember to have heard asserted over and over again. Intimate friends of Mrs. Mattingly and of the priests declare it. Those who went to behold the wonder, heard of it in the house and from the advocates of the *miracle*. Why did not the deponents include this occurrence? If true, had it not such a bearing upon the question at issue, that candour required its publication? If untrue, why have they not denied it? Undoubtedly they would have been glad to deny it, had common honesty permitted, for well they were aware, that it stood as a formidable obstacle in the way of their cause, and as such was constantly employed by their opponents. But perhaps some will say they have denied it. I say, on the contrary, they have unintentionally granted it. Does Mrs. Mattingly declare there was no such occurrence? She says nothing of the kind; but only asserts, in opposition to the idea of an *abscess* having broken, that she 'perceived no breaking or discharge of any' abscess. Whether an abscess broke or not, we shall decide hereafter, on better judgment than that of the patient; but that a *discharge* took place immediately before the *miracle*, this lady could not deny. But do not the five ladies who were present deny this occurrence? On the contrary, they virtually acknowledge it. Remark their language. They declare that they saw no symptom of any abscess; perceived no extraordinary discharge whatever; on the contrary, she was so weak and low, that she appeared to spit with great pain and difficulty, and very little at a time.' This may all have been true, and yet a very considerable discharge may have occurred. If not, why not say so; why only assert that no *extraordinary* one took place, and that she spit very little at a time? That an *ordinary* discharge occurred, is not then denied. But we are told that a 'a *copious puking* of blood' was ordinary. Something of this sort, therefore, is not denied to have taken place at the time of the cure. Now I ask whether it was not demanded by common justice, that this fact should have been mentioned in the statement? And yet, had it not been for public remarks which they thought it important to meet, this important particular would never have been even alluded to; for in all the *original* depositions of the persons above named, it is not even once hinted, and it is only in two supplementary papers, suggested by the conversation of the people, that it finds a notice. The fact is, that when the wonder was first promulgated, and every effort was made to represent the disease of Mrs. Mattingly in as horrible and hopeless a light as possible, it was constantly declared that such was her low estate that, even at the very moment of recovery, she threw up an immense quantity of blood; but afterwards, when this fact came to be used as an evidence against the miraculous character of the cure, it was suppressed. A true miracle challenges scrutiny; desires no concealment. Truth is always candid."

The answer to all this is obvious. When the fact of the restoration was notorious and could not be contradicted, an effort was made to destroy its value as a miracle, by stating that it was merely the natural process of abscess. This not having been anticipated, was met by the supplemental affidavits, and now the effort was made to destroy their force by the puny sophistry which will stoop to any artifice rather than admit the truth. The affidavits deny any discharge whatever. They describe the difficulty even of spitting, and one of the sisters described to me the danger of strangulation from a clotted bloody spit resting in the passage of the throat, and the great difficulty of its removal, Mrs. Mattingly being altogether unable to make any effort herself to aid for that purpose.

But Most Reverend sir, the single fact of her receiving the holy Eucharist, is abundant proof that there was not only no discharge by the mouth, but that there was no disposition thereto; for if there was, Mr. Dubuisson would be highly criminal if he administered this holy sacrament.

I now proceed to the "gross contradictions." The first is stated to be between those who swore that she was "directly, in the twinkling of an eye, restored to perfect health," and those who swore that the occurrence did not take place for "about five or six minutes after she received." Here there is no contradiction, but the most perfect agreement, for all the testimony shows, that when the priest gave her the sacrament, she was unable to swallow it for five or six minutes, owing to the dry state of her tongue. During this time the priest was wrapping up his pix, and directly after she swallowed the Eucharist, she, in the twinkling of an eye, was restored. Nearly three pages are occupied in the effort to establish a contradiction here. I would, for the correct statement, merely refer to pages 17 and 18 of this examination.

The next "gross contradiction" is between the statements that she was restored to perfect health without a vestige of disease, and yet that she was emaciated and had a pale countenance. The effort for this does not

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extend beyond a page, and the writer endeavors to confound health and corpulency, between which there is an obvious distinction. This closes his efforts at establishing contradictions.

He next, in page 19, adverts to suspicious circumstances.

The first is, that although a miracle was expected by those in the secret, yet very few Papists were apprised of it;" and besides the testimony of the Romish eye-witnesses, some Protestants should have been called;" "some intelligent Protestants, a *clergyman or two;* some persons not easily duped in such matters." "Not only were the eye-witnesses confined to a few Romish ladies besides the officiating priest, but we remark a most suspicious absence of certain persons,' who, on the supposition of their anticipating a miracle, most certainly ought to have been there." He then, in just such unmannerly language as the above, enumerates Father Kohlmann, Mr. Matthews, and the brothers of the lady, as well as her physicians. In the course of his amplification, he bestows upon all of them, except the physicians, the low abuse of his vulgar sneers. Before I proceed to observe upon what might be considered semblance of argument in the above, I shall take the opportunity of remarking upon the total absence of good manners, which characterizes this and similar productions. Upon the members of the great church of Christendom—of that church which has given to the world some of its greatest luminaries and best benefactors, and which has always comprehended in its fold the largest collection of the literature and civilization of every age for fourteen or fifteen, perhaps I might safely say, the last sixteen centuries—they generally bestow the most insulting appellations of a vulgar nomenclature, specially made for the purpose by themselves, and yet they claim to be gentlemen, and in most other cases, they deserve the character which they here forfeit. They arrogate to themselves a superior degree of intellect and information, as in this passage the writer gives us "intelligent Protestants," with his "*clergyman or two,*" in italics; when, in truth, after very extensive opportunities and much close observation, I am very far from allowing the extraordinary pretensions of those gentlemen to any superiority of either intellect or information. As a body, they now have, and have had amongst them, like all other bodies, men of talents and erudition; so have other societies; so have lawyers, physicians, and so perhaps have the religious teachers of other Protestant denominations, besides those from whom this arrogance has proceeded on this and on several other occasions. Perhaps, Most Reverend sir, we need not go outside our own province to find men in our own clergy, who shrink from public observation, to whom we could, without hesitation, commit the credit of our literary or religious information, in competition with the coryphæi of this over-confident sect. I know five or six humble priests, whose names are scarcely whispered outside the precincts in which they move, for whose philosophical, historical, theological, and critical knowledge, I have more respect than for * * * *. A more modest tone would be more in keeping with the Christian character, which those gentlemen arrogate!

I come to remark upon the argument. It assumes what is not the fact, that a miracle was looked for with certainty; and the untruth of this assumption destroys all that would legitimately follow from its truth. We teach that on extraordinary occasions, such as the establishment of a new revelation or mode of church government, God's special commission is required, and it is necessary that the person claiming to create a new religion, or to reform against the will of its ordinary governors, that which previously existed, ought to prove his commission by miracles; but this religion or reformation having been thus lawfully established, it is no longer necessary to have recourse to the special proof required in an extraordinary case, though miracles might be thereafter occasionally wrought for the purpose of confirming the evidence of truth to those under its influence, and for other wise and salutary ends. But though, in this first case, it would be fitting that the very enemies of truth should be present, it is not of such necessity in the latter case. Besides, these latter miracles are not promised specially to be performed, at particular times and on designated occasions; but generally to be performed from time to time, and only occasionally, as might seem proper to the Creator, and not to the creature. When performed, their evidence is perfect, but no person can, without special revelation, or gift of prophecy, foretell with certainty, when one will occur, though frequently from a concurrence of circumstances, a firm hope, and a lively expectation may be lawfully and piously indulged; yet it would be a criminal rashness to say, or to promise with certainty that it will take place; and, except the gift of prophecy was manifest, it would be folly to look for this result as certainly to follow.

There was indeed, in this case, a hope

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and expectation that God would miraculously interfere, but there was no certainty; and this distinction, so familiar to us, and so consonant to common sense and to the experience of centuries, not only in the Christian church, but previously in the true church of Israel, is destroyed by the sophist who assumes what is not a fact, that there existed a certain and positive foreknowledge of the event. Hence, his remarks fall with his supposition. He would destroy the miracle, because we do not assert that there was prophecy also.

He quotes Father Kohlmann's expressions to Mrs. Mattingly, that the worse she felt, the better; for the restoration would be more certain, to show that the certain and positive foreknowledge existed, or was pretended to have been in existence. The words only show strong faith in God, and great hope on the part of Father Kohlmann. Mr. Matthews informed me, that on the night of the 9th of March, he firmly expected that Mrs. Mattingly would be restored; but certainly this firm expectation is far from the gift of prophecy. He stated to me, that his reason for this expectation, was the perfect resignation of Mrs. Mattingly to the will of God, and the complete sacrifice of herself and of her own will. Whilst he found in some others, who prayed also for restoration, an anxiety arising from mere human motives. Hence he told Mr. Dubuisson on that night, at their parting, his hope that this lady would be restored; but that he had not the same expectation in any of the other cases; and that when Mr. D. called on him after the restoration, before it was yet clear day, he was prepared for the tidings, which, however, produced in him sensations that he could not describe.

The object, however, of the pamphleteer, was evidently to insinuate that there was some collusion between those who were *in the secret*, as he prints it in italics. Let the evidence itself and the character of the individual witnesses answer this. Let it be answered by the inhabitants of Washington. Let it be tested by the state in which the lady was seen by Protestants and Catholics, just previously to that night, and immediately on the next day.

The "next suspicious circumstance," is a charge made upon the priests for not having her cured sooner, and for manifesting "a most criminal and inhuman indifference in the case of Mrs. Mattingly, or of a most heretical scepticism as to the efficacy of Hohenlohe's prayers," and concludes by stating his "belief that all the application to Hohenlohe has been, on their parts, nothing in the world but a farce." As this is but buffoonery, and not argument, I leave it unexamined.

The next argument is, that although the same means were used for others, they were not restored; "like a child shooting into a flock at random, and killing one bird." The paragraph contains a variety of other similar illustrations, but no more argument. This also rests upon a false assumption, viz. that there was an infallibly miraculous influence or efficacy in those means. We uniformly assert the miracle to have been wrought by God, who promised, occasionally, but not uniformly, to give this manifestation of his power, and presence, and protection. We may say, in the words of Paley, "If it be answered that when we ascribe the cure of the palsy to a touch, of blindness to the anointing of the eyes with clay, or the raising of the dead to a word, we lay ourselves open to this imputation, we reply, we ascribe no such effects to such causes. We perceive no virtue or energy in these things, more than in other things of the same kind. They are merely signs to connect the miracle with its end. The effect we ascribe simply to the volition of the Deity, of whose existence and power, not to say of whose presence and agency, we have previous and independent proof."

We merely say, that if, in this instance, the facts be truly stated, there was a miracle, which, if wrought at all, must have been the work of God, and the truth or falsehood of the statements must be determined by an examination of the special case. We neither state that there were other miracles, nor do we either assert or admit that, to sustain the truth of those statements, it was necessary that other miracles should have been wrought. Had there been several, each should have rested on its own merits singly.

The next objection is, that the miracle was not wrought at the exact hour that it was expected, and by appointment, ought to have occurred; for, according to the priests, three o'clock in the morning, and not fifteen minutes past four, ought to have been the hour. I would merely ask, whether if a person does not perform an act until an hour after he had previously determined upon its performance, it would be true to assert that he had not performed it? In this case it was performed as soon as she had swallowed the sacrament. As it is sought to establish that there existed a difference, it might be as well to see the grounds. The writer asserts that the miracle was expected to take place the moment the Prince Hohenlohe, in Bamberg, Europe,

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prayed for those out of Europe, which was at nine o'clock, A. M., corresponding, according to the priests, to *three*, A. M., in Washington. But the lady's restoration, according to the watch of the officiating priest, was not *till fifteen minutes after four*." "There was no coincidence," "there was not the smallest connexion," "a miss is as good as a mile in these matters." I do not now contend that the miracle occurred by reason of the prayers of any one. I merely contend that it did take place. I do not place the miraculous nature of the occurrence in any coincidence of either time or facts, but in the sudden restoration and the perfect restoration. This objection admits both, and therefore leaves all that I contend for untouched. However, it might be as well that I should here dispose altogether of the assertions it contains. There is a misrepresentation of the time and of the other circumstances. The time was not said to be exactly *three* o'clock, as the writer asserts. The words are, "so that here, three o'clock after midnight *is about the corresponding* hour to nine in the morning, at Bamberg, where the prince usually resides,"(No. 32) and if the writer took the trouble to calculate the difference in longitude, he would find not only miles, but degrees, wanting to give the word *about* the latitude of at least fifteen or twenty minutes. He would also recollect, that a Mass begun at nine o'clock, is not terminated until half-past nine; and he ought to know that in all such calculations, it is usual to allow something for the difference of watches, not to speak of those occasional accidents which may cause a delay in the acts of the most punctual persons. When all these are added together, the apparent difference of time vanishes to a point. But there were other conditions, one of the most important of which amongst those that were *essential*, was, "the reception of the Eucharist," (32.) Now all the witnesses who were present, testify, that as soon as she swallowed this sacrament, which is, I need scarcely remark to you, *essential to its reception*, she was instantly, in the twinkling of an eye, restored. Thus, to use his own vulgar expressions, there was neither "a mile," nor "a miss."

The latter part of this paragraph, in page 25, is far more reprehensible, for it asserts several distinct untruths, which would not, even if true statements, affect the evidence. He asserts that it "plainly appears from the documents, that at the time of the change in the disease, the officiating priest had given up whatever expectation of success he had at first entertained." Mrs. Mattingly, "whatever may have been her faith before the arrival of the appointed hour, had now surrendered every hope, and was waiting the hour of dissolution." Upon this, I shall remark what I learned from herself, as to her sentiments, and they correspond exactly with the words in her depositions, but whose meaning it is attempted to distort in this and in the next paragraph. This good lady had perfect and lively faith in the power and goodness of God, and knew that he was able in an instant to restore her if he pleased, but knowing that she had no claim upon him to demand his positive intervention to suspend the laws of nature, and knowing that she was naturally hastening to an immediate death, she made an act of perfect resignation to his holy will, looking with indifference upon life and death, determined as far as she was able, to serve him in either; and thus she calmly awaited either repose or resuscitation. She never, at any moment, dared to look with certainty to his miraculous interference, though she believed firmly in his power and his mercy. Thus, to the moment of her restoration, her sentiments were unchanged, and "at the moment of receiving the blessed sacrament, she felt so extremely ill, that believing the time arrived when she must either die, or through the mercy and goodness of God be restored to health, she made this mental prayer or aspiration, "Lord Jesus! thy holy will be done." His next falsehood is that "she said at four o'clock what is not in the pamphlet, but was industriously circulated soon after the event, in proof of the extremity of her illness, that she was not to be restored, because too unworthy." For this assertion he brings no witnesses; and I have full evidence that she never used the expression, and I have as much as the case will admit of, that it never was circulated by any of her friends. The next falsehood is, that Mr. Dubuisson "seeing the case so hopeless, *prepares to retire* in disappointment." So far from this being true, it is clear, from his own affidavit, and from the short lapse of time which intervened between his giving the sacrament and her swallowing it, and being restored to perfect health, that he had not fully concluded that prescribed ceremonial, when she declared herself well, for the pix with the sacrament had not been yet removed from the table.(32)

The next paragraph is one of those efforts which I shall not characterize, but which we are frequently doomed to witness: an attempt to prove that a fact which has occurred, was impossible. It argues the impossibility of her having been cured, upon

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the assumption that the lady had not the proper faith. In this, perhaps, the writer has a better excuse than can be offered for his former dishonesty. Perhaps, like many others, he mistakes presumption for faith.

I have now disposed of his charges of contradiction and suspicion, and believe it is very evident that my former conclusion is unshaken. It remains to be examined whether this sudden and perfect restoration was miraculous.

The writer of the pamphlet to which I have adverted, states in page 30, "It is a maxim with regard to miracles, that no effect is to be considered miraculous, which admits of explanation upon natural principles." Of course, I will implicitly subscribe to this maxim, and it was therefore that I applied to the respectable body of our physicians for an explanation, upon natural principles, convinced, that if it could be at all given, I should get it from them. I have not obtained any such explanation, and several individual members of the faculty have repeatedly assured me, that it could not be given. The pamphleteer, however, undertakes, in page 26, to show, that the lady's complaint was not a cancer. Upon this, I shall not give a line, as I do not look upon it as affecting the case, to say what it was not. In page 28, he acknowledges that his proof that it was not a cancer, is negative.

He then undertakes to prove that the lady "was affected with an abscess." "Throw this pamphlet, (the documents from 1 to 33) into the hands of a scientific physician; let it tell its own story, and you will not find an individual, who, connecting the progress of the disease with the event, will not pronounce it an abscess."

"I have conversed with five medical men upon this subject, four in this district, and one at a distance, all of whom, after ridiculing the pretensions of the priests relative to the miraculous nature of the cure, pronounced the disease an abscess. The simple statement of the pamphlet was put into the hands of an eminent physician at a distance, who, after perusing the symptoms, decided at once that it was an abscess in the left lobe of the liver; mentioning at the same time, that he had known at least ten similar cases, just as remarkable, in the course of his own practice.

"Assuming now the existence of an abscess, we readily account for the torpor of the arm next to the tumour. We easily account, also, for the nature of the cure. The simple fact is, that just before the change in the lady's feelings, this abscess broke. The circumstances were exactly calculated to produce this effect; for we are told in the fifth deposition, that just before it took place, the patient was seized with 'a violent fit of coughing;' which in union with some preparations on the part of the priest caused a delay of fifteen minutes in the administration of the sacrament. So violent was this paroxysm of coughing, that Father Dubuisson says he was afraid 'she might be prevented from receiving communion.' Now, nothing was more likely than that this paroxysm of her cough, in union with the excitement in which she had been, from the expectation of a miracle, and the excitement she then must have been in from disappointment, and that also, necessarily produced by all the ceremony and solemnity of receiving the communion, should have affected her frame so powerfully as to occasion the discharge of the abscess in her side. The symptoms of unusual distress and danger immediately before, are perfectly consistent with this; for such almost always precede the breaking of an abscess. Now let it be recollected, that for several days subsequent to the relief, it was asserted at the house of the lady, that a very copious discharge of blood from her mouth occurred immediately prior to the issue; let it also be recollected, that though some deponents, in order to rid the matter of the abscess, exert themselves to show that no extraordinary discharge of blood was perceived, and though Mrs. M. asserts that she spit with unusual difficulty, and in quantities unusually small that night, it is yet not denied that an effusion of blood from the mouth, did actually take place, and that in a considerable quantity, just before the event; and methinks it cannot be doubted by any one the least intelligent on such subjects, that the simple explanation of the whole affair, is found in the fortunate and very seasonable rupture of an abscess. Cases precisely similar, are found in almost every chapter of medical journals. What physician of extensive and long-continued practice, has not been favoured with miracles as marvellous?

"But that which has seemed unaccountable to many, is that the patient's strength should so soon have been recovered. The explanation of this is simple. After allowing for the great exaggerations already detected; as to the suddenness and perfection of the cure; nothing remains but what has often been equalled in cases of this disease. After the breaking of an abscess, all obstruction, pressure and pain are relieved; the patient is at once sensible of a material alteration in his state; the disease being extirpated, the limbs, which before sympathized with the system in its pain, now sympathize in its relief; they recover their motion, and in some measure, revive in their strength; thus, though weakness continues and emaciation, it often appears that the patient can rise and walk, and go about some of the ordinary occupations of life. This is but a description of cases, of which every physician has read, and perhaps had experience, and it is precisely a description of the case of Mrs. Mattingly. We want nothing therefore out of the common history of abscess, to account for all the stages of her relief. That she was able in a few minutes after the rupture to arise from bed, and go about her room, is by no means unparalleled; and that she could endure so much fatigue as her public exhibition for some time after required, is easily explained by the great excitement necessarily produced from the idea that she was the subject of *miraculous* power, and from the gaze and wonder and fuss, of the crowds coming to behold her. Thus it seems that all this astonishing exertion of miraculous power; this *resurrection*, as Mr. Kohlmann calls it, so

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far from a deviation from the known laws of nature—is, to say the most of it, but a remarkable example of the ordinary course of those laws. Did we choose to push this matter as far as would be practicable, it might be shown without much difficulty, that almost the whole of the extraordinary character of this affair arises not from anything singular or strange in the connexion between the nature of the disease and of its cure, for that connexion is natural and evident; but rather from the fact that a disease like that of Mrs. Mattingly in all the extremity of its symptoms, is not sufficiently common to make its natural cure a matter of ordinary observation. Hence it is, that to physicians acquainted with the records of disease, and extensively observant of its forms and changes, to whom an effect which to others would seem extraordinary is but a companion of similar effects with which medical tradition has furnished them; the event in question is a cause of no astonishment, except that, by so many persons, it should for a moment be supposed either miraculous or unaccountable."

I have preferred giving the entire of the argument in the words of the writer himself. In page 26, writing of Miss Fitzgerald's assertion "that a physician who had examined Mrs. Mattingly, declared several times in her presence, that her malady was, in his opinion, an internal cancer," he remarks, "Here we might justly require the name of that physician, for the purpose of confronting him with the deponent; and we might show that the concealment of his name in such a case as this, would well excuse the rejection of the deponent's testimony." The writer cannot object to the use of his own principle against himself, and especially as we have in his case, only an invisible witness to the opinions of unknown physicians. I have put the documents into the hands of several physicians, and each of them told me, after their perusal, that no physician who had any regard for his character, would avow himself as holding the opinion that it was a case of abscess, and that the whole history of medicine did not furnish a case which bore any analogy to this, and that it was totally inexplicable upon any principle of medical reasoning. I shall make a few remarks upon the falsehoods contained in the above extract, before I proceed to give an outline of the medical reasoning, as far as I may presume to attempt it.

'It is stated that the lady was excited from the expectation, disappointment, and ceremony. Her own affidavit informs us (Sup. to No. 1), "I calmly, and without agitation of mind, awaited." I have shown before, that there was no disappointment. It is altogether untrue, that "for several days subsequent to the relief, it was asserted at the house of the lady, that a very copious discharge of blood from her mouth occurred, immediately prior to the issue." It is untrue, that "it is not denied that an effusion of blood from the mouth did actually take place, and in a considerable quantity, just before the event;" for Mrs. Mattingly denies it in her affidavit (Sup. to No. 1) in these words, "such, indeed, was my exhausted and debilitated state, that it was with great difficulty I could spit at all during the night,—and what I did spit was in smaller quantity than usual;" and by this she distinctly and repeatedly assured me she intended to convey a knowledge of what was the fact, that the only discharge of any sort which took place was what she spit. It is denied by the five ladies who have sworn (No. 6) in contradiction to the report not in the house of the lady, or by her friends, but by those who opposed her friends by falsely asserting that there was an extraordinary discharge of blood, "that they perceived no extraordinary discharge whatever;" and it could not have taken place without their observation; also, it is contradicted by their description of the entire discharge during the whole night, "that she appeared to spit with great pain and difficulty, and very little at a time."

Upon this view I might rest the case, because the grounds for the assertion of abscess are hereby removed. But I go farther, and say, that we have the distinct swearing of Mrs. Mattingly herself, in contradiction to the "erroneous opinion" of several of her visiters. who "asked her if her cure was not effected by the breaking of an abscess in her side, and a copious discharge from it?" It could not have occurred without her perception of it, and she swears that she had no such perception. It is contradicted by the other five ladies, who swear, "that some persons have attributed her cure to the breaking of an abscess, and the copious discharge of its contents:" they "therefore solemnly declare that no such occurrence took place in Mrs. Mattingly's regard." I shall not waste more time or paper with a remark upon the writer's extraordinary assertion in contradiction to this testimony.

"We now assert that the lady was afflicted with an abscess. To be sure she says she had no knowledge of any abscess in her side, and 'of course, perceived no breaking or discharge of any.' This, we doubt not, is true, and still there may have been an abscess and its discharge. All the symptoms may have existed, and the patient, not very skilful in medicine probably, may have been ignorant of the disease to which they belonged. The same may be said relative to the five ladies who depose that they 'saw no symptom of any abscess.' These

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ladies, I presume, never studied very closely the diseases to which the human frame is liable."

He says, that "an eminent physician decided at once, that it was an abscess in the left lobe of the liver."

I am but poorly skilled in medicine, yet, from the conversations which I have had on this subject with several medical men, I shall undertake to show that it was not.

The left lobe of the liver is under the diaphragm; in a healthy subject, it stands very little beyond the centre of the body, towards the left side; in a disordered and swoln state of the lobe it might extend farther. I shall now admit whatever extent the reader might please, still this lobe must continue under the diaphragm; the first attack of this lady was above the diaphragm. All the documents show that the pain concentrated to a spot upon the left breast: and that in that spot there was found a lump from which that pain radiated. The several members of her family, together with Drs. Jones and M'Williams, support her own statement to this effect,—and the physicians gave it as their opinion, that "it partook of a schirrous character;" that "although it was not a cancer at that time, yet it would be safe and advisable to have it extirpated, as in time it might become one." Thus, the commencement of the disorder, was not under, but was over the diaphragm; not in the left lobe of the liver, but "in the lower and outer part of the left mamma," having the pectoral muscles, the ribs, the pleura, and portions of the lungs, together with the pericardium and diaphragm intervening between the spot of the tumour and the left lobe of the liver. The liver might be diseased, and healed, and yet this tumour and its consequence would remain. There is no connexion, save that of general sympathy, between the two species of disorder. We have no proof whatever that the liver was diseased, but we have the most satisfactory evidence that the disease originated in the mamma, and exhibited itself in such a tumour as could not be produced by an affection of the liver.

The writer of the pamphlet, then, in order to evade one miracle, calls upon us to admit two; for he requires us to admit two physical impossibilities, against positive evidence of facts which contradict his supposition. First, he requires us to believe that a tumour in the mamma, hard, and of the shape of a pigeon's egg, was the consequence of a disease in the left lobe of the liver, though we have no testimony of any such disease. Secondly, that an abscess of the liver was discharged without any consciousness of its discharge by the patient or her attendants, though she was awake and they were vigilant; but the reason given in the pamphlet is still more extraordinary, "These ladies, I presume, never closely studied the diseases to which the human frame is liable." A discharge of blood and matter was a symptom which they had frequently witnessed before, and testified in this lady's case; and I am not aware of its requiring any medical skill to observe and to testify such a symptom.

Upon this simple view of facts, it is very evident that her disease was not in the left lobe of the liver, and further, that she was not cured by what the writer calls "the breaking of an abscess;" for the testimony contradicts the occurrence of any discharge on that night, save the very small quantity which she spat.

I now proceed to farther proof that there was no abscess. The contents discharged from an abscess in the left lobe of the liver, must have passed either through the lungs, or the stomach and bowels. Let us suppose each in succession, and examine if it was physically compatible with the facts which we have so evidently established. If either was more probable than the other, according to his description it would appear to have been the former,—for he attributes the breaking principally to the fit of coughing, which would indicate the lungs to have been affected. We must, in this case, suppose the *sac* in the liver, which contained the matter, to have broken, the contents to have passed through the diaphragm into the lungs, which, in this lady's case, would in all probability have produced immediate suffocation. But supposing, against evidence, that the contents passed from the lungs through the mouth, it was physically impossible that they should have so completely passed away, as to have left no remnant; the presence of which would have been indicated by a cough that would have subsided gradually as the lungs were relieved. Yet the evidence distinctly establishes the fact, that she was perfectly free from any symptom of cough on the day of her restoration. Day after day we have similar evidence. Let us suppose the contents to have passed away by the stomach, though the writer, by his over minuteness, has deprived himself of this retreat; still, as the object is close investigation to establish truth, not the paltry effort of achieving a victory over a self-contradictory pamphlet, I must examine this possibility. The testimony of the subject and of her companions puts this

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possibility out of question altogether,—for there must in this case have been a very extraordinary discharge by the mouth or otherwise, which is distinctly negatived by all the witnesses. There is another fact sworn to by her brother, which is quite incompatible with either supposition,—that on that very morning, in a very short time after her restoration, he observed her spittle, for the first time in six years, to have a clear and healthful appearance, being "white like that of a healthy person." We must, then, in order to believe the rupture of an abscess, believe a number of physical impossibilities; so that, take it in either way, we must believe a miracle.

But I have not enumerated half the absurdities of the supposition. In case of the rupture of an abscess, there should have been an inflammation in the sides of the *sac* previous to their union, which necessarily would have produced pain and uneasiness in the patient. An ulcerative process necessarily takes place in the parts through which the contents are discharged, which is evinced by pain, uneasiness, and soreness, accompanying the formation of the ulcer, consequent to that formation, and during the time of its healing. This would continue for some weeks, if not months. There would be also great occasional nausea and delicacy of appetite. Yet here the testimony of a great number of medical and other witnesses is united to that of the subject of this restoration, in contradiction to the existence of any one of those symptoms. In either side of this dilemma, also, we must believe in the existence of a miracle.

I now come to the assertion that she was sustained through the fatigue of the 10th of March by excitement. Excitement is unusual action, beyond what is natural, incompatible with the ease and tranquillity of the system—is always succeeded by weakness and prostration of the system which had been excited; and where this excitement is very great, the collapse is dangerous, often fatal, especially in an exhausted system. Hence, the great caution which is always observed to prevent over excitement in convalescents. The exhaustion of the system of a convalescent is generally, indeed we may say always, in the combined ratio of the duration and the violence of the previous disease, together with abstinence from nutriment during the illness; and the more exhausted the system of the convalescent, and the greater the excitement, the greater will be the subsequent prostration.

Had this lady been restored by the discharge of an abscess on the morning of the 10th, after the suffering of six years, and been thus relieved from the disease, yet, from her state of prostration, it would have required a miraculous interference of the Deity to enable her to go through the fatigue of that day; and the collapse, if she had not been miraculously restored or sustained, had she been upheld only by excitement, would have been of the most desperate character, if not fatal.

But the evidence is in direct contradiction to the proposition. A person under great excitement has not a very pale countenance: on the contrary, it is generally flushed and coloured; sometimes changing its hectic appearance, but never steadily pale, as hers is by so many sworn to have been. The subject of excitement does not evince harmony and tranquillity of system, as she did. I might proceed yet farther in the contrast,—but it is unnecessary.

I shall now briefly advert to another solution which I understand a physician of this city has suggested, viz., that the contents of an abscess formed in the breast broke into the cavity of the pleura, and were subsequently absorbed.

Upon this I would merely remark, that it removes only a very few of the difficulties which exist against the supposition of abscess in the left lobe of the liver. It leaves the seat of the disorder, indeed, in its proper place, but it creates new difficulties; for it would, against what we see to have been the fact, contract the space of the lungs, and exhibit the patient under serious consequent oppression and difficulty of breathing, which would be relieved only as the absorption proceeded. In truth, the only difficulties removed by this, would be that of reconciling the rupture of the abscess and the non-existence of an external discharge; in place of which, it would create the new difficulty of lodging the contents in the cavity of the pleura, without affecting the respiration, which we clearly see was not affected. It also gets rid of the absurdity of creating an affection of the liver without the exhibition of any of its symptoms, and making the rupture of an abscess in the left lobe of the liver remove a disease which originated and continued deeply seated in the lower and outward part of the left breast.

But suppose all this naturally accounted for, still we have no attempt to give any natural explanation of the healing of the ulcerated back and shoulders.

I have now, Most Reverend sir, at considerably more length than I had anticipated, gone through the details of this testimony. I have sought in every way to find whether

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there could exist a doubt as to any of the facts in the statement—and the more closely and jealously I examined, the more am I convinced of the irrefragable truth of these facts. Convinced of their truth, I used my best efforts to obtain a solution upon natural principles, if possible. I am convinced if such could be had, I should have received it from the respectable society to which I applied, and whose president, in a polite and candid note, gave me his own opinion, previous to laying the statement before the society itself. I have conversed with several gentlemen of the faculty for whose opinions and judgment great respect is entertained; and this not only lately, but frequently during six years. And I feel equally convinced, as I do of the truth of the facts, that they are physically insoluble and inexplicable—that it was an immediate and miraculous interference of the Creator himself.

I shall here adopt the words of Bishop Hay in his explanation of the Scripture doctrine of miracles. Describing the rules adopted by the Congregation of Rites at Rome for examinations of this description. Chap. xv., vol. 2, cl. xxvii. and xxviii.

"XXVII. Miracles of the third order, such as miraculous cures of diseases, are examined in the strictest manner; and it must necessarily be proved to the conviction of the judges, that they were attended with all those circumstances which evidently show the operation was divine. The circumstances indispensably required in cures of diseases are as follows: 1st. That the disease be considerable, dangerous, inveterate, such as commonly resists the strength of known medicines, or at least that it be long and difficult by their means to produce a perfect cure. 2dly. That the disease be not come to its last period, in which it is natural to look for a remission of its symptoms and a cure. 3dly. That the ordinary helps of natural remedies have not been used, or at least that there be just reason to believe from the time elapsed since taking them, and other circumstances, that they could have no influence in the cure. 4thly. That the cure be sudden and momentaneous; that the violent pains or imminent danger cease all at once, instead of diminishing gradually, as happens in the operations of nature. 5thly. That the cure be perfect and entire. 6thly. That there happened no crisis, nor any sensible alteration which might have naturally wrought the cure. 7thly. That the health recovered be constant, and not followed by a speedy relapse.

"XXVIII. The concurrence of all these conditions and circumstances must be proved by the utmost evidence before the miraculousness of these facts can be approved; and in this discussion the greatest rigour is used. The promoter of the faith starts every possible difficulty; and to assist him in this, he is allowed to call in divines, physicians, natural philosophers, mathematicians, and others skilled in the respective matters belonging to the miracle under examination; to these the case is exposed, and if they can give any rational and natural account how the effect might be produced without having recourse to miracles, which the opposite party cannot gainsay, or if they can put any well founded objection against the miraculousness of the fact which the others cannot solve, the miracle is forthwith rejected. It is, however, true, in order that all justice may be done, that the solicitors for the cause are also allowed to call in learned people in the several sciences to their assistance, to answer the difficulties proposed by the promoter of the faith, and obviate his objections, if it be possible to do so."

The only question which could here arise, would be upon the second and sixth conditions. As respects the second, the death of the patient, and not such a remission of symptoms which could effect a cure, was expected. The same, indeed might be said of the sixth. So that I cannot hesitate in distinctly reporting to you my full and entire conviction that this restoration of Mrs. Mattingly was a palpable and splendid miracle.

It was my intention, Most Reverend sir, when I commenced this examination, to have here appended a short essay, exhibiting the application of this fact to the doctrines of our church. I am, however, obliged, for several reasons, to relinquish this determination. In the first place, I owe it to the ordinary of the diocess in which the occurrence took place, to give full time for the consideration of the evidence itself, as well as the opinion of his predecessor, and of this examination and report. I am also at present just setting out upon the visitation of the southern division of my diocess, and under an engagement to assist at the consecration of a respectable brother prelate; so that my occupations would not permit the execution even though I should have continued my determination; and, indeed, the great and laborious duties of the late penitential season scarcely allowed me the opportunity of revising the report itself,—so that I fear you will have to make great allowance for imperfections. But a paramount consideration is the great importance of the subject, and the length to which the dissertation should extend in order to be in any way worthy of the matter. I would, therefore, much prefer, if your judgment should coincide with my opinion, to procure that an edition of Bishop Hay's most valuable work on Miracles should be published and generally read. In the perusal thereof the philosopher and the Christian would be equally instructed and delighted. And I should hope that thereby the public mind of America, which is upon those subjects calm, reflecting, and generally well disposed, though

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hitherto greatly abused and misled, would receive incalculable benefit.

I shall, therefore, merely remark upon the excellent principles of the restored blind man mentioned John ix. 25. "If he be a sinner, I know not; one thing I know, that whereas I was blind, I now see. 26. They then said to him, What did he to thee? How did he open thy eyes? 27. He answered them: I have told you already, and you have heard: why would you hear it again? Will you also become his disciples? 28. They reviled him therefore and said: Be thou his disciple; but we are the disciples of Moses. 29. We know that God spoke to Moses: but as to this man we know not whence he is. 30. The man answered, and said to them: Why herein is a wonderful thing, that you know not whence he is, and he hath opened my eyes. 31. Now we know that God doth not hear sinners; but if a man be a server of God, and doth his will, him he heareth. 32. From the beginning of the world it hath not been heard, that any one hath opened the eyes of one born blind. 33. Unless this man were of God he could not do anything."

I know that to evade the conclusions which must necessarily result from the evidence of miracles, wrought in every age by God in our church, it has been sought to prove that none were wrought from at least an early period. What then, I would ask, was the restoration of Mrs. Mattingly, if not a miracle? And if it was a miracle, what must be the consequence when we unite this fact with the declaration of the Saviour? Mark xvi. 17, "And these signs shall follow them that believe: In my name they shall cast out devils: they shall speak with new tongues: 18. They shall take up serpents: and if they drink any deadly thing it shall not hurt them: they shall lay their hands upon the sick, and they shall recover." John xiv.: "Otherwise, believe, for the very work's sake. Amen, amen, I say unto you, he that believeth in me, the works that I do, he shall do also, and greater than these shall he do: because I go to the Father."

I shall add no more, at least for the present.

Respectfully and affectionately in Christ.
Yours, with esteem,
† JOHN, *Bishop of Charleston.*

Charleston, S. C., April 14, 1830.

The following are the documents referred to, according to their numbers.

No. 1. Affidavit of Mrs. Ann Mattingly.
Supplement to the above.
2. Affidavit of Captain Thomas Carbery.
A. Certificates of Thomas Carbery and W. Jones.
3. Affidavit of Miss Ruth Carbery and Miss Catherine Carbery.
4. do. of Mrs. Sybilla Carbery.
5. do. of Miss Anne Maria Fitzgerald.
6. do. of Miss Ruth Carbery, Miss Catherine Carbery, Mrs. Sybilla Carbery, Miss Susan Mattingly, Miss Anne Maria Fitzgerald.
7. do. of Miss Mary Hopewell.
8. Certificate of James Carbery.
9. Affidavit of Lewis Carbery.
10. do. of Captain James Hoban.
11. Certificate of Dr. William Jones.
12. do. of Dr. Alexander M'Williams.
13. do. of Dr. Nathaniel P. Causin.
14. do. of Dr. George A. Carroll.
15. do. of Dr. Thomas A. Scott.
16. Affidavit of Mrs. Christiana Hobbs.
17. do. of Miss Jane Mary Andrews.
18. do. of Mrs. Mary H. Fitzgerald.
19. do. of Mrs. Jane Rose.
20. do. of Mrs. Eliza Cassin.
21. do. of Miss Maria Ann Booth.
22. do. of Miss Eliza Miller, Miss Harriet Miller, Miss Louisa Berryman.
23. do. of Miss Catherine H. Cleary.
24. do. of Mrs. Harriet de la Palme Baker.
25. do. of Mr. Charles H. W. Wharton.
26. do. of Mr. George Sweeny.
27. do. of Rev. Joseph Carbery.
28. do. of Dr. James W. Roach.
29. do. of Mr. James M'Williams.
30. do. of Miss Eleanor Williams.
31. do. of Rev. Anthony Kohlmann.
32. do. of Rev. Stephen Laurigaudelle Dubuisson.
33. do. of Rev. William Matthews.
34. do. of Mrs. Ann Mattingly.
35. do. of Miss Ruth Carbery.
36. do. of Miss Catherine Carbery.
37. do. of Mrs. Sybilla Carbery.

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APPENDIX.

No. 1.

MRS. ANN MATTINGLY.

District of Columbia, City and County of Washington. } Sct.

On the 24th day of March, in the year of our Lord one thousand eight hundred and twenty-four, personally appears before me, a justice of the peace for the county aforesaid, Mrs. Ann Mattingly, of the city of Washington, who, being sworn on the Holy Evangels of Almighty God, deposeth and saith, that she is now about forty years of age, as she believes; that during the summer of the year 1817, she began to feel an uneasy sensation in her left side, which continued gradually to increase in painfulness, and in a short time concentrated to a point on the left side of her left breast, when she could distinctly feel a small lump at that spot, about the size of a pigeon's egg, which became so bad, as to be rendered extremely painful by the slightest touch of her finger, or pressure of her clothes; that some time in the month of September, of the same year, at the request of her brother Thomas, she showed the parts affected to Doctors Jones, Cutbush, and M'Williams, the two first named of whom directed external applications of hemlock and mercurial ointment, and prescribed other remedies, but the means resorted to did not disperse the lump, or produce any relief whatever; that on the Monday after Easter-Monday, in the year 1818, she was seized with a violent puking, which continued at intervals, for several hours, during which Dr. Jones was called in, and prescribed for her; that her indisposition continued to increase for several days, when it assumed a more alarming aspect. During this period, she was visited by Dr. Blake, in aid of Dr. Jones, and was by them put under a course of mercury, which produced a salivation of several weeks continuance, but from which she derived no more benefit than from the external applications. During a year or more, after this period, she was unable to leave her bed, or for months to turn herself in it, without assistance; that during this period, Dr. Jones almost constantly visited her, from once to three times a day, and often at night, without affording any other inconsiderable and temporary relief; that she was occasionally visited during this period by Dr. Blake, and once by Dr. Shaff, from neither of whom did she derive more relief than had been afforded by the prescriptions of Dr. Jones, and that she continued in the most distressing condition, until the tenth of the present month: the violence of her suffering, however, occasionally varying, and at times so far abating as to admit of her sitting up, moving about in the room, and sometimes sewing.

She further deposeth and saith, that during the whole period of her illness, since about March, 1818, she does not recollect any moment at which she was free from severe pain: and that, for the most part, her sufferings were so excruciating as to deprive her of all strength and power of action, and that she frequently fainted, from the extreme acuteness of her pains; that she has, during the same period, been in the habit of vomiting large quantities of blood and offensive matter, and that she has no recollection of having, at any time, spit without emitting some portion of blood; that generally, her sensations appeared to her to be such as might be occasioned by boring her side, immediately under and next to her arm, with an auger, a constant tweaking or pinching of her side with numerous pincers, and a cutting of her flesh with sharp instruments; that in the lump on the side of her breast, which increased somewhat in size, and continued until her final recovery, she has frequently felt sudden and most acute pains, which seemed to shoot off in every direction from that spot, causing her agonies which are indescribable:

That immediately under her shoulder-blade, in her left shoulder, and her left arm from her shoulder to her elbow, during the whole period of her illness, she felt pains nearly as severe as that in her side; and that she was only enabled to use the lower part of that arm and her left hand, by supporting her elbow with her right hand, or resting it with something else; that she constantly felt a tightness across her breast, as if lashed tightly round with a cord, and an internal burning and smarting sensation, resembling, as nearly as she can conceive, the exposing of a raw burn to a hot fire; that, for about six months immediately preceding the moment of her restoration to health, she had

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been afflicted with most distressing fits of coughing, and latterly with daily chills and fevers; that during her most afflicting and painful paroxysms, her tongue has been parched with a constant fever, and seemed to her to be as hard and rough as a nutmeg-grater, and that she had constantly a bad and disagreeable taste in her mouth; that since the commencement of her illness, she experienced a general loss of appetite; but during the periods of most severe suffering, she has been unable, for several weeks together, to take any solid or substantial food; and the small quantities of tea, which she at times attempted to take, her stomach rejected; that she was often seized with a severe cramp in her breast, in her side, and in her shoulder, and sometimes in her stomach and extremities.

She further deposeth and saith, that, pursuant to the directions of Prince Hohenlohe, a Catholic priest of Bamberg, in Germany, as communicated to her by the Rev. Mr. Dubuisson, assistant-pastor of St. Patrick's Church, in the city of Washington, she performed a novena, or nine day's devotion, in honour of the most holy name of Jesus, commencing on the first day of the present month; and having made her confession to the Rev. Mr. Matthews, rector of the church aforesaid, the holy eucharist was administered to her by the Rev. Mr. Dubuisson, at a little after four o'clock, on the morning of Wednesday, the tenth of this month; that, in consequence of the hard and dry state of her tongue, at the time of receiving the blessed sacrament, five or six minutes elapsed before she was able to swallow it, but directly after having done so, she found that she was relieved from all that pain and sickness, which, at the moment of her receiving, was, if possible, greater than at any former time, and so intense, as to threaten her immediate dissolution: and she immediately found herself able to arise from her bed, without any assistance, and, in the presence of the Rev. Mr. Dubuisson and her attending relatives and friends, kneel in thanksgiving to Almighty God; that, from the moment of her restoration, her appetite has been perfectly good; and while she is rapidly regaining her natural strength and flesh, no symptoms of disease, or the slightest indisposition of any kind, has been felt by her, and that in the place of the former disagreeable taste in her mouth, she has constantly had a sweet taste, nearly resembling that of loaf sugar.

Finally, she delares, that, at the moment of receiving the blessed sacrament, she felt so extremely ill, that believing the time arrived when she must either die, or through the mercy and goodness of God, be restored to health, she made this mental prayer or aspiration: "Lord Jesus! thy holy will be done."

Sworn to before

R. S. Briscoe,
Justice of the Peace.

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Supplement to No. 1.

MRS. ANN MATTINGLY.

Of the many hundred persons who visited me since my extraordinary cure, several have asked me if it was not effected by the breaking of an abscess in my side, and a copious discharge from it. I consider myself bound in gratitude to God, the sole author of my restoration to health, to prevent the propagation of such an erroneous opinion, by solemnly declaring that I had no knowledge of any abscess in my side, and of course I perceived no breaking or discharge of any. Such, in fact, was my exhausted and debilitated state, that it was with great difficulty that I could spit at all during that night, and what I did spit was in smaller quantity than usual. Equally erroneous is the opinion that my imagination effected my cure. I had long expected the hour when Almighty God, in his mercy, would deliver me from my sufferings, by withdrawing me from a world, to me a scene of misery. I believed that hour was now at hand: with calm resignation I awaited it. The lump on my side was so inflamed and so painful, that I could not suffer my arm to touch it; and the sinews of my arm being contracted, I could not keep it entirely from touching my side. In this distressing situation, I, calmly and without agitation of mind, awaited the final close of my earthly miseries, when suddenly, in the twinkling of an eye, all pain left me. my body was entirely healed, and I found myself in perfect health; a blessing of God, which I have continued to enjoy since, without interruption, to the present moment.

Ann Mattingly.

Washington City, May 3d, 1824.

Sworn to before me, a justice of the peace, for the city and county of Washington, District of Columbia.

James Hoban, [Seal.]
Justice of the Peace.

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No. 2.

CAPTAIN THOMAS CARBERY.

City and County of Washington, District of Columbia. } Sct.

On this 24th day of March, 1824, personally appears before me, the subscriber,

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Chief Justice of the United States, Thomas Carbery, who, being sworn on the Holy Evangels of Almighty God, deposeth and saith, that the statement of Mrs. Ann Mattingly's case, marked A, and dated the 15th of March, 1823, was at that time drawn up by himself, and certified by Dr. William Jones; that everything stated therein is true, to the best of his knowledge and belief. He further deposeth and saith that his object and reason for making that statement of Mrs. Mattingly's indisposition, and getting it certified by Dr. Jones, was, that it might be transmitted (through a Reverend gentleman of this city) to the Prince Hohenlohe, a Catholic priest at Bamberg, in Germany, who, it was said, and confidently believed, had performed, by the holy sacrifice of mass and other prayers offered up to God, many astonishing and miraculous cures in Europe. The want of a proper conveyance, however, prevented the Reverend gentleman (he believes) from sending it. He further deposeth and saith, that his sister, Mrs. Ann Mattingly, has been living with him since the year 1815; that she was a woman of very industrious habits, uniformly cheerful, with a good temper and disposition, and that she enjoyed excellent health, till the sickness alluded to in the statement marked A; that, during her indisposition, he consulted with many physicians about her complaint; that they generally pronounced it an internal cancer, and all of them unhesitatingly declared that it would kill her, and that no medicines or external applications would, in their opinion, prolong her life. He further deposeth and saith, that it was the most distressing case of sickness he ever saw or heard of, and it was pronounced so by others; that although she was a woman of great fortitude and resignation, he has seen her several times, in a day, entirely deprived of muscular action, by the intensity of the pain, and that she has frequently laid in such a situation for twenty or thirty minutes at a time, as to create doubts whether she was alive or dead. The medicine generally administered in those paroxysms, was laudanum, of which from two to four hundred drops have been given in a day, without producing much abatement of the pain, or apparent change or effect on the system; that it was not, he believes, one of those cases that could at all be affected by imagination, nor does he think she had any expectation or particular anxiety to recover. For some time before her restoration, the whole system was prostrated. The severity of the cancer had almost deprived her of the power to articulate—her pulse was scarcely perceptible to the nicest touch—her tongue was hard, rough, and dark—her cough was the most incessant and distressing he ever heard, with chills, and her cheek flushed with a hectic fever—her countenance greatly distorted with pain—she could not move herself in the bed, and had a constant spitting and puking of blood and fetid matter, that was almost insupportable. But all this complicate machinery of the human system, so much deranged and out of order, beyond the reach of medicine and medical skill, was, in the twinkling of an eye, restored to the most regular and healthful action. It was a little after four o'clock, on the morning of the 10th instant, that Mrs. Mattingly was restored to health; since which time she has been walking about, and has not complained of the least pain or uneasiness whatever, and she is now fast gaining her strength and flesh. The deponent further states, that on the morning of her recovery she ate a hearty breakfast, and that her appetite has since continued to be good; her bodily strength has been put to the severest test, in receiving many hundred visitants, drawn to his house by this signal and wonderful work of God. He further deposeth and saith, that the lump on her side, alluded to in his statement marked A, continued to the moment of her restoration; that it had considerably increased in size, was very hard, and the surface about it much inflamed; that in a few minutes after her restoration, he felt her pulse, and found it to be perfectly regular and healthful—that, for the first time in six years, her spittle was white, and like that of healthy person—that the lump on her side was gone, and in fact, to all appearance, there was not the slightest vestige of disease left.

In testimony whereof, I have hereunto set my hand, the day and year above written.

J. Marshall,
Chief Justice of the United States.

A.

Washington City, 15th March, 1823.

During the summer of 1817, my sister, Mrs. Ann Mattingly, then about 34 years of age, began occasionally to complain of a slight pain in her left breast, and soon perceived that there was a small internal lump or hardness, (now about the size of a pigeon's egg,) at which the pain centered and was increased by the least pressure; it was not perceptible to the eye, and scarcely so to the nicest touch of the finger. She seemed to experience no material change in her health, which had been generally good, till the Monday after Easter-Monday, in the spring of 1818, when she was taken very suddenly and dangerously ill; so much

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so, that we expected every day to be her last. Several physicians were in attendance, and many medicines used, but so far from effecting a cure, they seemed to afford little or no relief. I believe her disease has been treated as an internal cancer, though some of the physicians dissented from this opinion, and concluded, from the sudden and unexpected nature of the attack, that it must be something else, which could not be identified with any disease that had come within the scope of their practice or reading. Five years have now elapsed since she was first taken. To attempt to convey an idea of what she has suffered during this period, would be futile indeed: suffice it to say, that she has lived four or five weeks at a time, without taking any food or nourishment, except a little tea, and has often thrown up a quart of blood in a day, some of it like liver. Even these were nothing, when compared with the excruciating pain she has almost constantly experienced since the year 1818. We have often believed her to be dead, and more than thirty times said the departing prayers by her—even now, whilst I am attempting a description of her disease, she is puking blood and writhing in the most heart-rending agonies that can possibly be conceived, and imploring the aid of God, to enable her to bear, with fortitude and resignation this direful affliction. Many persons in the vigour of youth and in the prime of life, who have witnessed her situation, and daily expected to be called to attend her to the grave, have themselves descended to the tomb. Since Mrs. Mattingly was first taken ill, she has been confined to her room, but not constantly to the bed; her industrious habits would not permit her to be idle, when she could be usefully employed; I have often found her sewing or knitting, when she was not only in great pain, but so much exhausted that she could scarcely sit in a chair. Dr. William Jones, our family physician, has been attending on Mrs. Mattingly since she was first taken, administering and trying everything that he supposed could give her relief, either permanent or temporary; but so mysterious and inflexible has the disease proved, that his skill and ingenuity in the science and practice of medicine, has, in this instance been illy rewarded. Mrs. Mattingly has two children, a son and daughter; and is now a widow, having lost her husband but a few months since.

THOMAS CARBERY.

The statement of Mrs. Mattingly's case, by her brother, is substantially correct; hers has been one of more suffering than I ever witnessed. His description of this intractable disease has been so full, that anything additional would be superfluous.

W. JONES.

In addition to what I have stated above, I have long since believed, and still believe, that Mrs. Mattingly's case is out of the reach of medicine.

W. JONES.

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No. 3.

MISSES RUTH CARBERY AND CATHERINE CARBERY.

City and County of Washington, District of Columbia. } Sct.

March 20th, 1834.

Personally appear before me, the subscriber, a justice of the peace for the county and district aforesaid, Ruth Carbery and Catherine Carbery, sisters of Thomas Carbery, mayor of the city of Washington, and of Mrs. Ann Mattingly, who being sworn on the Holy Evangels of Almighty God, depose and say; for the last six years, Mrs. Ann Mattingly has been confined to the house with a most violent and distressing malady, so violent as to make them consider the continuation of her existence as a matter of great astonishment. Her diet, for several weeks together, consisted of tea or coffee. but sparingly used; and it often happened. that this was no sooner taken into her stomach than it was rejected; sometimes with blood and sometimes with offensive matter, mixed with it. That, during these six years, she never left her bed for any considerable time, nor was out of her brother's house, but on two occasions: one when she was removed from his former to his present residence; the other, for the purpose of visiting an aged and favourite servant of the family, who was thought to be dying, and whose habitation was within ten yards of the door. That even in this short walk she needed and received assistance; and slight as that exercise was, it seemed greatly to affect her, as a copious puking of blood immediately followed it. As to the effects of this disease upon their sister, the deponents declare their belief, that the pains must have been very acute, for the slightest motion threw her into violent agonies, and in some instances produced faintness; and that the apprehension of similar results, often prevented their making up her bed, for two weeks at a time. They further depose, that for several months before the confinement of their sister to her bed, they perceived and felt a lump upon her left side, a little below her breast, which grew to the size of an egg. That the said lump could not be

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touched, however lightly, without causing her considerable pain. That upon several occasions they thought she was dying, and said the departing prayers by her. The deponents further say, that this continued to be the general condition of their sister, up to about three weeks before her recovery; from which time, she manifestly appeared to be growing worse than they had ever seen her, all the symptoms of her case appearing to indicate that her death was fast approaching, and that up to the very moment before her sudden restoration to perfect health, these symptoms seemed more and more alarming. They further depose, that they were present, on the morning of the 10th instant, when she received the blessed sacrament from the hands of the Rev. Mr. Dubuisson; and that, in a few minutes afterwards, a little after four o'clock, they beheld her rising in her bed, putting on her stockings,—which they believe she had not done for some time before,—leaving her bed, and falling on her knees before the adorable sacrament. They further depose, that on the same day hundreds came to see her, with most of whom she shook hands and conversed, with manifest ease and satisfaction. That she ate several times on the same morning, and has continued, ever since, to show as good an appetite as other persons in perfect health. They further depose, that they have not heard her complain, since the said tenth, of any indisposition whatever; but, on the contrary, she has uniformly declared herself to be perfectly well. And finally, these deponents say, that for about six months preceding their sister's sudden cure, she was afflicted with long, and apparently, very painful fits of hard and dry coughing, and almost every fit was followed by a vomiting of blood, often mixed with corrupt and very offensive matter. That, during the space of about the last three weeks of her illness, she had daily chills and fevers, generally preceded by cold sweats and coldness of the extremities, and during the continuance of her chills, there was little or no intermission in her coughing.

Given under my hand and seal, on the day and year above written.

C. H. W. Wharton, [Seal.]
Justice of the Peace.

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No. 4.

MRS. SYBILLA CARBERY.

District of Columbia, City and County of Washington. } Sct.

On this 25th day of March, in the year of our Lord 1824, personally appears before me, the subscriber, an alderman for the city, and a justice of the peace for the county aforesaid, Mrs. Sybilla Carbery, widow of the late General Henry Carbery, who being sworn on the Holy Evangels of Almighty God, deposeth and saith, that she has been intimately acquainted with Mrs. Ann Mattingly about thirty years; who was of a very cheerful and uniform temper, active, industrious, and healthy, till about the summer of 1817, when she began to complain of a pain in her left side. In the spring of 1818, the said Ann Mattingly was confined to her bed, and continued therein, as she thinks, for about a year, before she could sit up. That, from the commencement of her indisposition to the date of her restoration, she had been generally confined to the bed, and has subsisted for weeks at a time without food or nourishment, except a little tea or coffee. That since she was first taken, she has been almost continually spitting and vomiting thick blood and fetid matter, so offensive at times, that this deponent could hardly stay in the room: and that she seemed to be constantly suffering under the most severe pains conceivable, which were often accompanied with severe cramps in her stomach, breast, and limbs, and with profuse cold sweats, attended with coldness of the extremities and fainting. That she has always understood her disease to have been an internal cancer; and that, so far as she has been capable of judging of the nature and severity of the case, no medicine or medical skill could have restored her to health, or given her any but very temporary relief. That she discovered no particular anxiety in Mrs. Mattingly to recover, and that she appeared to be perfectly composed, both immediately before and after her restoration. The deponent further states, that during the protracted sickness of Mrs. Mattingly, she has often read the prayers for a departing soul by her, and has frequently believed her to be dead. That for the three weeks preceding her recovery, she was constantly with her; and during that time, expected every day would be her last. That, on the first day of this present month, this deponent, at the request of the said Mrs. Mattingly, commenced a devotion in honour of the most holy name of Jesus, which she continued daily to the ninth day of this month inclusive; and was present in the chamber of the said Mrs. Mattingly, a little after four o'clock on the morning of the tenth of this month, and saw the Rev. Mr. Dubuisson administer to her the sacrament of the holy Eucharist. That, a few minutes after the said Mrs. Mattingly had received the bless-

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ed sacrament, this deponent saw her arise in her bed, and heard her exclaim, "Lord Jesus! what have I done to deserve so much?" or some similar expression; and saw her, the aforesaid Mrs. Mattingly, in a few minutes afterwards, arise from her bed, draw on her stockings, and fall upon her knees, to offer up her thanksgivings to Almighty God.

This deponent further deposeth and saith, that the said Mrs. Mattingly, at about eleven o'clock on the night of the ninth of this month, in answer to the question which this deponent put to her, of how she then felt, replied: "I am almost gone. If I die, Aunt Carbery, will you love my children and pray for me?" and that in so weak a voice, as to seem almost extinct, which compelled this deponent to apply her ear close to Mrs. Mattingly's lips, to distinguish what she said; and that, at a little after two o'clock on the morning of the 10th instant, when this deponent asked her the same question as mentioned above, she answered in the same low voice, "Almost gone."

This deponent finally deposeth and saith, that when Mrs. Mattingly arose from her bed, on the morning of the tenth instant, she appeared to this deponent to be in perfect health, with the exception of her being greatly reduced in flesh—and although her face was emaciated, her countenance was serene and cheerful; and this deponent having constantly resided in the house with the said Mrs. Mattingly since the tenth of this month, she declares that there has been no indication of the least degree of sickness in her up to the present moment; and that, so far from there remaining any symptom of the malady which afflicted her so long, Mrs. Mattingly has evidently continued to increase in flesh and strength, from the moment of her restoration, on the morning of the tenth instant, to the present time.

Given under my hand and seal, at the city of Washington, on the day and year first above written.

James Hoban, [Seal.]
Justice of the Peace.

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No. 5.

MISS ANNE MARIA FITZGERALD.

I have been intimately acquainted with Mrs. Ann Mattingly about fourteen years, and since my first acquaintance with her, she has been distinguished for her exemplary piety and resignation under extraordinary afflictions, as well as for remarkable uniformity of temper and cheerfulness of disposition. For upwards of six years she has been afflicted with a most distressing malady, during which I have been in the habit of visiting her almost every week, and sometimes two or three times a week, often remaining with her several days together. My opportunities, therefore, of forming an opinion of the extent of her sufferings have been the best, and enable me to say, that they appeared to me to exceed those of any other person I ever knew. Indeed, I have often supposed her to be dying, and several times actually dead. I have often seen her throw up large quantities of blood, with corrupt matter, which was so offensive, that I found it extremely unpleasant to remain in the room. A physician, who had examined Mrs. Mattingly, declared several times, in my presence, that her malady was, in his opinion, an internal cancer; and I have always understood that it was considered so by others. I have frequently felt and seen a lump on her left side, apparently as large as an egg, a little pointed on the surface, and sometimes much inflamed; and in which, when lightly touched or pressed with a finger, Mrs. Mattingly complained of an excessive pain, which she said thrilled with a kind of burning sensation in her left side, and through her left arm, to her fingers; and she has often complained, that she felt as if a person was boring her left side, and pinching pieces out of it. For six months prior to her recovery, she had the most distressing cough I ever witnessed, accompanied, for the last few weeks, with chills and fevers, cold clammy sweats day and night, and severe cramps in her breast, side, and limbs, and sometimes in her stomach. Her sight was so much impaired at times, that she told me she could hardly recognise me; and for the few last days of her illness, she complained of a constant noise in her head, resembling the tolling of bells, which affected her hearing very much.

At Mrs. Mattingly's request, I joined in a novena, in honour of the most holy name of Jesus, from the first of this month to the ninth, inclusive. In the afternoon of the ninth I visited her, and remained with her until next morning. During the evening, she requested me to bathe her head in vinegar, as she said she felt a violent pain in it; and said, that she believed mortification had taken place, as she felt unusual kind of pains in her side and breast. At about four o'clock in the morning of the the tenth instant, the Rev. Mr. Dubuisson arrived at Captain Carbery's, for the purpose of administering to Mrs. Mattingly the sa-

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crament of the holy Eucharist. The delay occasioned by his necessary previous preparation, and a violent fit of coughing with which Mrs. Mattingly was seized, was about fifteen minutes, when I saw him put the blessed sacrament on her tongue. In consequence of the dry and parched state of her mouth, she appeared to have some difficulty in swallowing it; I saw her raise herself in the bed, with her hands clasped, and heard her exclaim in an audible voice, "Lord Jesus! what have I done to deserve so great a favour?" The Rev. Mr. Dubuisson then asked Mrs. Mattingly how she felt. She replied, "I am perfectly well." He then inquired, "Entirely free from pain?" She replied, "I am entirely free from pain, no pain at all." "Not even there?" said he, pointing to her left side. "No," she replied. Her stockings were then brought to her, which she drew on, and got out of bed, with apparent ease, and without assistance. She then knelt, and continued about a quarter of an hour before the blessed sacrament, which was on an altar which had been prepared for the occasion. About this time her brother Thomas came into the room, when she arose from her knees, and raised her arms, and said in a transport of gratitude, "See what God has done for me; I have not done this for years." After this she joined the family in prayer, for a considerable time, without the least apparent inconvenience.

Since Mrs. Mattingly's recovery, I have been in company with her frequently, and she has continued to be, and now is, to all appearance, in perfect health.

ANNE MARIA FITZGERALD.

District of Columbia, City and County of Washington. } Sct.

On the 31st day of March, in the year of our Lord 1824, personally appears Miss Anne Maria Fitzgerald, who being of lawful age, makes oath on the Holy Evangels of Almighty God, that the foregoing statement of facts are true to the best of her knowledge and belief.

C. H. W. WHARTON,
Justice of the Peace.

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No. 6.

MISS RUTH CARBERY, MISS CATHERINE CARBERY, MRS. SYBILLA CARBERY, MISS SUSAN MATTINGLY, MISS ANNE MARIA FITZGERALD.

Whereas, some persons, not acquainted with the circumstances of Mrs. Mattingly's late extraordinary and sudden restoration to health, have attributed her cure to the breaking of an abscess, and a copious discharge of its contents: We, who passed the night of the 9th of March with her, in her chamber, attended on her, was present at, and witnessed her wonderful cure, deem it a tribute due to truth, and to the public at large, to give correct information on this subject, which has caused so much excitement in the public mind. We, therefore, solemnly declare, that no such occurrence took place in Mrs. Mattingly's regard; that we saw no symptom of any abscess; perceived no extraordinary discharge whatever; on the contrary, she was so weak and low, that she appeared to spit with great pain and difficulty, and very little at at a time.

SYBILLA CARBERY,
RUTH CARBERY,
(Signed) CATHERINE CARBERY,
ANNE MARIA FITZGERALD,
MARY SUSAN MATTINGLY.

Sworn to this 3d day of May, 1824, before me, a justice of the peace, for the city and county of Washington, District of Columbia.

JAMES HOBAN, [Seal]
Justice of the Peace.

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MISS MARY HOPEWELL.

Washington City, March 24th, 1824.

I have been acquainted with Mrs. Ann Mattingly from her infancy, and have visited her frequently during her illness for the last six years. I have heard the affidavits of Mrs. Sybilla Carbery, and of Mrs. Mattingly read, and having had many opportunities of being acquainted with most of the facts enumerated therein, I have no hesitation in declaring my unqualified belief in the truth of those depositions.

MARY HOPEWELL.

Sworn to before me, the subscriber, a justice of peace for the county of Washington, in the District of Columbia, on the day above written.

CHARLES H. W. WHARTON, [Seal]
Justice of the Peace.

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No. 8.

JAMES CARBERY.

My sister, Mrs. Ann Mattingly, was afflicted with a disease for about six years. I did not live with Mrs. Mattingly, but saw her frequently during the whole time of her sickness. For some time previous to her confinement to the bed, she complained of a severe pain, proceeding from a hard lump on the left side; which through the whole course of her sickness continued to be the

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seat of the disease, and from which the stomach was severely afflicted. Of the precise character of the disease, my want of knowledge, in this respect, will not authorize an opinion; it was certainly, not a common one. Its effects were distressing beyond description.

The violence of the disease was intermittent. The spells were always attended by an excruciating pain in the left side and stomach, vomiting of blood in large quantities, high fevers, loss of appetite, and occasionally cramps. During the existence of these spells, fainting from weakness and excessive pain was not unfrequent. Their duration, as well as I can recollect, was from three to five months, and the whole time dissolution was daily expected.

The transition from this state, which was of extreme suffering, to such intervals of comparative ease as to admit of her sitting up, walking about the room, and performing light work, such as sewing and knitting, was slow and tardy, but, to my knowledge, she was never free from pain and spitting of blood. I always believed from the commencement, that the disease was mortal. This is but an imperfect outline of the sufferings which Mrs. Mattingly endured for six years. It is impossible to delineate all the incidents of her unhappy situation; whatever shape her sufferings assumed, or to whatever degree they were felt, she bore them with a patient resignation to the will of Him who afflicted her.

In the early part of last fall, the disease began gradually to approximate its worst state; and in addition to its other accompaniments, before mentioned, was now attended by an almost incessant and distressing cough. It was my impression that it had reached its crisis about the beginning of February. From this period to her restoration she was in a state of suffering, to convey a correct idea of which, language is inadequate. It certainly was incomparably greater than I had supposed the mere physical powers of our nature could sustain. The pain from the lump in the side was communicated to the left arm, which it had disabled. About three weeks before her restoration, violent chills regularly came on, about 4 o'clock in the afternoon of each day, and acting with the other symptoms greatly aggravated the disease. The vast quantities of feculent blood which she cast up led to the belief that the whole interior of the stomach was ulcerated, if not in a state of mortification. It was often necessary to support her, sitting up in the bed, to prevent suffocation; and for this purpose, such was her debility, that it took two or three persons. Her appetite was entirely gone; taking nothing but laudanum to appease the pain, and small quantities of tea, often administered from a teaspoon, to abate a burning thirst. Frequently fainting from pain, and fatigue of coughing; and in this situation she would remain a considerable time, without sensation, or evincing any evidence of life, except a slight pulse. She was reduced to the very last extremity of life.

I was with her, for the last time in her sickness, on Monday morning the 8th instant, having stayed with her through the preceding afternoon and night, and on the succeeding Wednesday about noon, I was again with her; she was then free from pain, experiencing no uneasy sensation in her side, stomach or arm; the voice and countenance restored to their natural tone and expression; all was placed in a state of perfect health. Emaciation and weakness alone remained; still she was strong enough to walk about the room, and converse with a great number of persons without any apparent inconvenience to herself. She declared to me that "God had instantaneously restored her to health, at a quarter after four o'clock, that morning."

JAS. CARBERY.

Washington, March 22d, 1824.

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No. 9.

MR. LEWIS. CARBERY.

On this 24th day of March, in the year of our Lord one thousand eight hundred and twenty-four, personally appears before me, an assistant judge of the Circuit Court of the United States, for the District of Columbia, Lewis Carbery, of the district aforesaid, who being sworn on the Holy Evangels of Almighty God, deposeth and saith, that early in the year eighteen hundred and seventeen, his sister, Mrs. Ann Mattingly, frequently complained to him of a severe pain in the left side of her breast and left arm, and showed this deponent a hard lump on the lower side of her left breast, which she described to be excessively painful. That sometime after the commencement of this pain Dr. Jones was called to examine the nature of her disease, who prescribed various medicines and external applications without any material effect. That sometime during the year eighteen hundred and eighteen, this deponent, whose residence is some miles from the city of Washington, was sent for in haste, as it was thought that Mrs. Mattingly was then at the point of death, and on his arrival he found his sister in an indescribably awful situation; that she

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was vomiting corrupt and very offensive blood and matter, so that he was in the momentary expectation of witnessing her death, and, on having to leave her late at night, he believed that he had received her last farewell. That he has, for a year after that time visited his sister, two or three times a month, and sometimes as often in a week, and he always found her in a most distressing and apparently a very painful situation, and that since that period he had not known her to be able to leave her room more than two or three times, then not without assistance, although she has for short periods been able to leave her bed, and occasionally to occupy a short time in sewing or knitting, and in this the family thought her imprudent. That he has always understood it to be the opinion of the physicians, who have visited her or were consulted on the subject, that the disease of his sister was an internal cancer, and that they believed her case to be out of the reach of medicine. That for the six months before her recovery, she has had an almost incessant cough, which, at times, was so protracted as to leave her in a state of complete apparent exhaustion, and so distressing to this deponent, that he has often been compelled to withdraw from her chamber; and that those fits were always accompanied and followed by puking large quantities of corrupted blood, which often appeared to this deponent to be strangling her, and that this vomiting and spitting of blood, were her constant attendants through the whole six years of her confinement; and so frequently has this unaccountable discharge exhibited its violence, that he cannot enumerate the number of times he has been sent for to witness her death. And that for about the last three weeks of her illness, when she seemed reduced to the lowest extremity, she has been attacked with chills and fevers. That on Monday the eighth of this month, this deponent was in his sister's room, nearly the whole day, and saw her during the afternoon so entirely divested of all signs of life, as to induce him to believe that she was dead. That she continued in this state for about ten or fifteen minutes, and on showing signs of life by a strangling, and being raised in the bed, a quantity of blood ran from her mouth. He further saith, that on Thursday, the 11th of this month, he visited his sister, at about nine o'clock in the morning, who met him at the door of her chamber, to his great joy and astonishment, with all the marks and appearance of being in perfect health; and except her want of flesh, without any appearance or indication of her having been recently ill, and has continued apparently in the most perfect state of health, and says she is without pain or uneasiness in any way, and going about the house with the same apparent ease as the rest of the family.

JAMES S. MORSELL, [Seal.]

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No. 10.

CAPTAIN JAMES HOBAN.

City and County of Washington, District of Columbia. } Sct.

On this 26th day of March, in the year of our Lord, 1824, personally appeared before me, a justice of the peace for the county aforesaid, James Hoban, architect of the President's house, an alderman for the city of Washington, and one of the justices of the peace for the county aforesaid, who being sworn on the Holy Evangels of Almighty God, deposeth and saith, that he has been well acquainted with Mrs. Ann Mattingly, and intimate in the family of her brother, Captain Carbery, mayor of this city, with whom she has resided many years. That for the last five or six years, he has resided within about a quarter of a mile of her residence, and has frequently visited her during the illness with which she has, for that period, been afflicted. That from about the first week of August, to the nineteenth of December last, in consequence of one of his daughters being very ill, who on a visit to the family of Captain Carbery, and unable to be removed therefrom, this deponent was at Captain Carbery's almost every day, with the exception of about fourteen days, when confined by sickness, and several times on some days; and that he, almost always, on these occasions, saw Mrs. Mattingly; that she appeared at times, in great agony, and had a violent cough and spitting of blood. That on the fourth day of this month, as this deponent believes, he was informed that Mrs. Mattingly had expressed a desire to see him, in compliance with which desire he visited her in her chamber; that he found her then in a more deplorable state, if possible than he had ever before seen her; and she appeared to be almost suffocated, struggling for breath, and almost deprived of life. That it was proposed, by a lady in attendance, to administer laudanum, but one of her sisters observed, that one hundred drops had been administered to her that morning, and one hundred more but a short time since, without producing any good effect. That this deponent, having no hope of Mrs. Mattingly's being able to speak to him, withdrew under the strong belief, that she could not long survive. Deponent further saith, that at an early hour

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on the tenth day of this month, he was informed that Mrs. Mattingly was suddenly restored to perfect health; that he called to see her on the evening of the same day. and on entering her chamber she took him by the hand, meeting him with a cheerful countenance, and assured this deponent that she was in perfect health. That this deponent saw Mrs. Mattingly on the seventeenth day of this month, down stairs, for the first time in five or six years, in a company of ladies and gentlemen, in her brother's parlour, and that, on subsequent occasions, she presented to this deponent the appearance of a healthy woman.

Given under my hand and seal, the day and year as above written.

ENOCH REYNOLDS, [Seal.]

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No. 11.

DR. WILLIAM JONES.

In the summer of 1817, I examined a tumour, seated in Mrs. Mattingly's left mamma, and was of opinion at the time, that it partook of a schirrous character. Some months subsequent to this examination, I was called to visit her, and found her with pain in the side and breast. The tumour had become painful, and the pectoral muscle somewhat contracted. After prescribing for those symptoms several months, and the disease continuing to resist, I requested the attendance of Doctors Blake and Schaaf; what their opinions were of the case, I do not recollect; but the treatment suggested by them, produced no improvement in the patient. During Mrs. Mattingly's illness, (but at what period I am not prepared to state,) her complaint assumed a more formidable aspect; the stomach became irritable, and began to eject large quantities of blood; sometimes florid, but mostly grumous and fetid. When this last symptom presented, I was of opinion, that it was *vicarious*, and not until convinced by Mrs. Mattingly, that the functions of the uterus continued to be performed, (except when she was very much reduced,) did I abandon it.

Dr. M'Williams, who also visited her in consultation with me, and witnessed the continual discharge of blood, &c., was of opinion that her case was hopeless, and simply advised the use of palliatives. I concurred, and having observed laudanum to mitigate her suffering more than any other medicine, directed its use to be continued *pro re nata*.

Notwithstanding our opinion, that the disease was not within the control of medicine, I continued to call occasionally, but had not done so for some months prior to the first instant, when I was particularly requested, by her brother, to see her. I found her labouring under incessant cough, and chill, every afternoon; in addition to those symptoms which I had been accustomed to see.

The sulphate of quinine was directed: but her attendants stated that a very inconsiderable portion of it was retained; it was discontinued, and the laudanum, in large doses, repeated. I continued my visits to the fifth, and, believing anodynes only indicated, did not see her again till Wednesday the tenth; when, by the personal request of Captain Carbery, (who assured me that my patient was cured,) I called, and to my great surprise and gratification, she met me at her chamber door, in apparent health.

W. JONES.

Washington, March 30th, 1824.

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No. 12.

DR. ALEXANDER M'WILLIAMS.

I believe it was in the year 1816 or 17, I was desired to see Mrs. Mattingly. She requested a candid opinion, as to the nature and probable danger, of a deep seated tumour in her left breast, which she apprehended to be cancerous. After examining fully, and learning all the circumstances connected with the case, I gave it as my opinion, that although this was not at the time a cancer, yet it would be safe and advisable to have it extirpated, as in time it might become one.

After this, I did not again see Mrs. Mattingly until two or three years after, when I was requested to see her in consultation with Dr. Jones, the attending physician. At the time of our visit, her sufferings were apparently extreme, and gave every reason to conclude that the disease was making rapid progress on the internal organs, as nothing could be more offensive than the effluvia from her breath. The matter discharged by coughing, puking and spitting. was so disagreeable as to induce me to leave the room as soon as decency would permit.

I also observed a white handkerchief covered with blood, which was apparently discharged from her stomach.

On conferring with Dr. Jones, I freely gave it as my opinion, that her case was hopeless, and that palliatives were all that was left for this pious and excellent woman, in her languishing condition; in which opinion Dr. Jones fully concurred.

ALEXANDER M'WILLIAMS.

City of Washington, D. C., March 25, 1824.

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No. 13.

DR. NATHANIEL P. CAUSIN.

I hereby certify, that, during the last summer and autumn, from August to December, I almost daily visited a young lady, sick at the house of Captain Carbery, the present mayor of this city, and brother of Mrs. Mattingly, who, I have been frequently informed by Dr. Jones, her physician, and others, has been seriously indisposed for the last five or six years, without much hope or prospect of recovery by her physicians; and that, during the time I was visiting at the house, I frequently witnessed the great distress and suffering of Mrs. Mattingly, having to pass the door of her room to enter that of my patient; and occasionally, while below stairs, and indeed before entering the house, I was shocked at hearing the violent and distressing paroxysms of cough under which she was labouring. I was told by the family that this had been the case for many months, and that during those paroxysms, she frequently, perhaps always, discharged a considerable quantity of blood by the mouth. From December last till the present month, I do not recollect to have seen or heard of Mrs. Mattingly's case. On the tenth instant, I was informed, by many persons, that she had on that day been suddenly restored to health, and was, on Saturday, the thirteenth instant, invited by Dr. Jones, her physician, to visit her in company with himself, which I did, about noon. She, Mrs. Mattingly, appeared exceedingly cheerful, and remarked that she never felt better. Her person was reduced, but her countenance was sprightly, indicating ease and harmony throughout the system. I was informed that for a long time she had in a great measure lost the use of her left arm, to which my attention was particularly drawn, and at my request she threw this arm into a variety of attitudes, seemingly with as much ease as the other. While in her room, the Rev. Mr. Dubuisson entered, and drew from his pocket a statement of facts, which he said was to be sent to Prince Hohenlohe, and read it aloud, requesting Miss R. Carbery, Mrs. Mattingly, and others who were present and had witnessed all the facts, as stated to have transpired during the morning of the tenth, if he had misstated or omitted anything, to correct him. They all agreed that the statement he then held in his hand and had read in the presence of Dr. Jones, themselves, and myself, was formally and substantially correct.

NATHL. P. CAUSIN, L. M. C. F. M.

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No. 14.

DR. GEORGE A. CARROLL.

Washington, April 3d, 1824.

I hereby certify that I accidentally saw Mrs. Mattingly at her brother's, some time last fall, and that she seemed to me to be then in a helpless state of disease, and beyond the power of medical aid. I certify further, that I called this day to see her, and find her exhibiting no indications of disease whatever.

GEORGE A. CARROLL, M. D.

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No. 15.

DR. THOMAS C. SCOTT.

Washington, D. C., April 24th, 1824.

It being announced on Wednesday morning, the 10th ultimo, that Mrs. Ann Mattingly, a lady of this city, who had for the last seven years been the subject of a most painful and excruciating disease, had that morning been suddenly restored to health, I was induced to visit Mrs. Mattingly that evening, in company with several gentlemen. Previous to my visit, I had been informed that Mrs. Mattingly was reduced so low that her death had been hourly expected for some time. On entering her room, I was struck with surprise to find her standing, engaged in a lively and cheerful conversation with several persons who had preceded me, evincing a system tranquil and harmonious in its operations, free from disease and suffering. The ravages of her sufferings were strongly marked by very considerable emaciation and a very pale countenance. I had been informed that she had for a long time laboured under a violent and distressing cough, and that she had not used her left arm for several years, without producing great pain. Those were the most prominent points that attracted my attention; and notwithstanding that she had been engaged in a conversation from early in the morning to the hour of my visit, about 8 o'clock, in detailing the history of her case, she was perfectly free from the slightest cough, and in the free exercise of that arm which had been so long useless from the great pain attending its use. Mrs. Mattingly assured me that she felt as well as ever she did, entirely free from her late sufferings, and, as far as an opinion could be formed from her appearance, I considered her in perfect health, without the vestige of disease, except what has been previously mentioned. I have seen Mrs. Mattingly frequently since, and it affords me great pleasure to say that she has gained considerable flesh, and her complexion

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much improved. At our last interview, she assured me that she was perfectly well, and had continued so since the day of her restorarton.

THOMAS C. SCOTT, L. M.

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No. 16.

MRS. CHRISTIANA HOBBS.

City and County of Washington, } Sct.
District of Columbia. }

23d March, 1824.

Personally appears before me, the subscriber, a justice of the peace, for the county and district aforesaid, Mrs. Christiana Hobbs, who, after being duly sworn, on the Holy Evangels of Almighty God, deposeth and saith, that she has been acquainted, for many years, with Mrs. Ann Mattingly, and that since her sickness, she has been for several months at a time with her—that she has, therefore, been an eye-witness of her sufferings which she endured while labouring under this sickness—has frequently seen her puking up large quantities of blood, sometimes mixed with matter of the most fetid nature—and sometimes labouring under a most incessant and painful cough, with cramp in the stomach and limbs. She moreover deposeth, that she perceived and felt a lump on her left side, which she always represented as extremely painful. This deponent also states, that such was the violence of the pains which Mrs. Mattingly suffered, that she frequently believed she would not outlive the day, and at day that she would not live to see the night. That two days before her restoration to health, she saw Mrs. Mattingly, and found her, if possible, worse than she had ever seen her, and evincing every sign of a speedy dissolution. That, by the request of the aforesaid Mrs. Mattingly, she united in performing a novena, or nine days devotion, to the sacred name of Jesus, and continued to say it till the 10th instant, when at about 8 o'clock in the morning of that day, she received a letter from Captain Thomas Carbery, conveying the pleasing intelligence, that, at a quarter after 4 o'clock, Mrs. Mattingly left her bed in the most perfect health.

DANIEL BUSSARD, [Seal.]

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No. 17.

MISS JANE MARY ANDREWS.

Washington City, May, 5th, 1824.

I have been acquainted with Mrs. A. Mattingly for a considerable time before her long protracted and distressing illness. I very frequently visited, attended on, and sat up with her, since the spring of 1818, from which period, she has been confined to the house, and for months at a time to the bed. During these six years, she appeared to me to suffer more than I supposed it was possible for any constitution to sustain. Her disease was reputed to be an internal cancer on the left side. I always understood it was beyond the reach of medicine. Since the first year of her sickness, she frequently vomited blood. For several months before her recovery, she had a most distressing cough, which was latterly accompanied with chills and fevers, and severe cramp in her breast and limbs. I frequently saw her faint, and seemingly at the point of death. Her pains, she told me, appeared chiefly to proceed from a lump on her left side. In fact, her case was considered as entirely hopeless. Her disease continued, with increasing severity, to the 9th of the month of March last. Understanding, on the morning of the 10th, that she had been suddenly, and in a most extraordinary manner, restored to perfect health, I visited her, and found her to all appearance perfectly well, walking about the room, and cheerfully conversing with her numerous friends, and other persons, who had resorted to the house to see her after her wonderful cure.

JANE MARY ANDREWS.

Sworn to before me, a justice of the peace, for the city and county of Washington, the day and year above written.

JAMES HORAN, [Seal.]

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No. 18.

MRS. MARY H. FITZGERALD.

Washington City, 3d April, 1824.

I have been acquainted with Mrs. Ann Mattingly for about ten years; and though I have not had an opportunity of visiting or seeing her often since the commencement of her long and severe illness, I have heard from her frequently; indeed, almost every week, and sometimes every day or two, for weeks at a time. Several days before her sudden restoration to health, I called to see her; she was then, I supposed, as low as she could be; so much so, that I did not calculate on her living till the next day. On this visit, I found her in most distressing paroxysms of pain; spitting blood and very offensive matter. She also had a most distressing cough, with chills and severe cramp in her stomach. Her situation was so distressing to witness, that I retired from her room after some time, and did not see her again, till after I heard she was restored to health; when on the same day (the tenth of March) I paid her a visit; and to my

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great astonishment and satisfaction, I found her in apparently good health, perfectly cheerful, and conversing with her numerous friends.

MARY H. FITZGERALD.

Sworn to before me, a justice of the peace, for the county of Washington, in the District of Columbia, the day and year first above written.

JAMES HOBAN, [Seal.]

No. 19.

MRS. JANE ROSE.

Navy Yard, Washington City, March 26th, 1824.

I, Jane Rose, in the presence of Almighty God, wishing to give a true statement of what I have been an eye-witness to, of the sufferings, humility, patience, and pious resignation of Mrs. Ann Mattingly, widow of the late John Mattingly, declare that I have known her to be afflicted for six or seven years, with the illness from which, it has pleased the Almighty to deliver her, on the 10th of this month. During that time, she has been chiefly confined to bed. She very often vomited blood and corrupt matter, which was occasioned, I believe, by her inside being totally ulcerated. At particular times, the violent efforts she was forced to make, to evacuate this blood, scared everybody present, who expected every moment to see her suffocated. How often have I waited, in anxious expectation, to see her breathe her last! She was frequently afflicted with the most violent paroxysms of the cramp; and in addition to her other sufferings, she laboured for a great while before her restoration, under the most distressing cough that can be imagined. It was most painful to see her; and whilst everybody present was drowned in tears, at the sight of her sufferings, she endeavoured to console them, by remarking what were her sufferings, to what her blessed Lord and Saviour Jesus Christ endured, through his mortal life, in atonement for our sins. She said the Almighty would relieve her when he thought proper; that she was resigned to his blessed will. Those words she spoke at intervals, when it was in her power to articulate; and I frequently had to put my ear close to her mouth, for she spoke in a tone so low, as to be scarcely perceptible. She always wished to have me near her, and I liked to be near her, for my own edification. I have many times staid two or three weeks, even a whole month, at Capt. Carbery's, with his sisters. My sisterly affection for their dear mother, the late Mrs. Mary Carbery, one of the most amiable, charitable, pious, Christian ladies that I knew, made me entertain for them a maternal affection. However, my great age, (being near seventy,) and my infirmities, prevented me from being with them, and especially with Mrs. Mattingly, as often as I could have wished.

JANE ROSE.

Sworn to before me, on this eighth day of May, 1824.

C. H. W. WHARTON, [Seal.]
Justice of the Peace.

No. 20.

MRS. ELIZA CASSIN.

City and County of Washington, District of Columbia. } Sct.

On this 27th day of March, in the year of our Lord, 1824, personally appears before me, the subscriber, a justice of the peace, for the county aforesaid, Mrs. Eliza Cassin, widow of the late Major Joseph Cassin, who, being sworn on the Holy Evangels of Almighty God, deposeth and saith, that she hath frequently visited Mrs. Ann Mattingly, sister of Thomas Carbery, Esq., mayor of the city of Washington, during the last six years, particularly during the week immediately preceding, and only two days before her restoration to health; and always found her in a state of great apparent suffering, and sometimes in the utmost agony; that she has often been informed that it was the opinion of her physicians that her malady was incurable. That, for a few days previous to the tenth of the present month, this deponent was on a visit to a friend in the city of Washington, and on the ninth of this month she sent a messenger to Captain Carbery's, to inquire how Mrs. Mattingly was, and she received for answer, that "she was as ill as she could be to be alive." That in consequence of this message, she went on the morning of the tenth, at about ten o'clock, to Captain Carbery's in the expectation of finding Mrs. Mattingly dead or dying; but on arriving at the house, to her great astonishment and wonder, she was told that Mrs. Mattingly was well. And that on this deponent's entering the chamber of Mrs. Mattingly, she found her on the bed, and shook this deponent by the hand; but before she left the house, saw her get up and meet the clergyman at the door, and, except in her loss of flesh, had to this deponent the appearance of being in sound health, and in possession of a fine flow of spirits.

ELIZA CASSIN.

Sworn to and subscribed before
WALTER NEWTON, [Seal.]

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No. 21.

MISS MARIA ANN BOOTH.

Washington City, March 24th, 1824.

It is more than six years since Mrs. Mattingly was taken sick. When I first went to see her, she was lying, to all appearances, lifeless; and her friends told me they could only tell she breathed, by holding a glass to her face. I visited her very frequently in her sickness, and have seen her suffer more from violent pain than any one I ever saw. I have conversed with her often, about her situation, and she has told me, she could not speak without its giving her pain. She always complained of her left side, and said, it felt as if a cord was drawing her shoulder and side together. I visited her last spring, and she was then so ill I could scarcely hear her speak. I did not see her again until November last; she had then a very distressing cough, but was better than she was in the spring. I also saw her in December. She was then able to walk from one room to the other; her cough still continued; she spit a great deal of blood, and told me that morning she coughed and spit up quite a dry hard scab. I thought it impossible she could live much longer with such a cough. I did not see her while she was so low, as I was told she was, in February; but heard she continued to grow worse, till the morning of her wonderful recovery.

I went to see her the second day after her recovery, and found her apparently in perfect ease, without any cough, and the use of her left arm perfectly restored. I saw her again last week, down stairs. She said she was quite well, and gaining strength daily.

MARIA ANN BOOTH.

Sworn and subscribed before me, this 27th March, 1824.

SAM. N. SMALLWOOD, [Seal.]
Justice of the Peace.

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No. 22.

MISS ELIZA MILLER, MISS HARRIET MILLER, MISS LOUISA H. BERRYMAN.

City and County of Washington, District of Columbia. } Sct.

Be it remembered, that on this 29th day of March, 1824, before me, the subscriber, one of the justices of the peace, in and for said county, personally appear Miss Eliza Miller and Miss Harriet Miller, daughters of Major Thomas Miller, of this city, and late of Virginia, and Miss Louisa Berryman, daughter of Newton Berryman, Esq., of the general post-office department, who depose and say, that they were introduced to Mrs. Ann Mattingly: Miss Berryman, about eighteen months ago, and the Misses Miller, about six months ago: that they now and then visited her, at the house of her brother, Captain Thomas Carbery, mayor of Washington, and always found her in a dreadful state of health: that they observed her puking blood, and coughing in a most distressing manner, and heard her complaining of great pains in her side: in short, that they thought she could not possibly survive. They particularly depose and say, that on the 9th of the present month of March, late in the evening, they all three paid a visit to Mrs. Mattingly, and were under the impression that she was in a dying condition; that Miss Eliza Miller and Miss Louisa Berryman assisted in waiting on her, in a fit of fainting; and Miss Eliza Miller once ran down stairs for the Rev. Mr. Matthews, believing that Mrs. Mattingly was at the moment of breathing her last. What they felt on the next morning, 10th, upon receiving the news that she was perfectly well, and themselves seeing her at about ten o'clock, actually in good health, they cannot describe.

ELIZA MILLER.
HARRIET MILLER.
LOUISA H. BERRYMAN.

Sworn and subscribed before me, the day and year first above mentioned.

JOHN N. MOULDER, [Seal.]
Justice of the Peace.

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No. 23.

MISS CATHERINE H. CLEARY.

Washington City, April 19th, 1824.

During the four weeks previous to Mrs. Mattingly's recovery, I saw her frequently, and from the extreme suffering she appeared to endure, it seemed impossible for her to survive without speedy relief, which seemed out of all human power to give.

She had a violent racking cough, enough to deprive the strongest frame of strength, attended by a constant vomiting of blood, which was sometimes so clotted as to appear like liver. She had entirely lost the use of her left arm, and she was reduced to the very verge of the grave. I saw her on the morning of the 8th of March, in the most agonizing pain, during which time she swooned twice, in endeavouring to vomit, and was insensible so long that I did not think she would ever recover.

I saw her again on the 10th of March, when her cough and every symptom of disease had left her, being the first day for

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six years she had passed without suffering excruciating pain. I have been frequently in Mrs. Mattingly's company, since the 10th of March, and she remains perfectly well to the present date.

CATHARINE H. CLEARY,
Of Virginia.

Sworn before
JAMES HOBAN, Alderman.

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No. 24.

MRS. HARRIET DE LA PALME BAKER.

District of Columbia, City and County of Washington. } Sct.

On this 24th day of March, in the year of our Lord 1824, before me, the subscriber, a justice of the peace for the county aforesaid, personally appears Mrs. Harriet de la Palme Baker, aged about forty-one years, the wife of John M. Baker, formerly consul of the United States at the Balearic Islands, &c., and now in the department of state, who deposeth and saith, that she lived for six months, in the year 1822, next door neighbour to the family of Captain Thomas Carbery, and frequently visited Mrs. Mattingly, the sister of Captain Carbery, and observed her intractable illness, the cure of which was considered as incontestably beyond the power of medicine; that, at the request of Mrs. Mattingly, she put her hand on the tumour below the patient's breast, which she found to be a hard substance very sensibly protuberant, and nearly of the size of an egg in extent; that in the summer of 1822, Mrs. Mattingly, who, she understood, had not left her room for several years, having been helped down stairs on an afternoon, she, Mrs. Baker, assisted in helping her back again up stairs, which was not done without great difficulty by three persons; and afterwards, she heard that Mrs. Mattingly had puked a great deal of blood, in consequence of that afternoon's exertion; that she, besides, remembers once seeing Mrs. Mattingly throw up the quantity of a least a common tumbler full of corrupt blood, and on that occasion assisted her.

This deponent further saith, that she always was edified with Mrs. Mattingly's conversation and entire resignation, under her severe afflictions; that she joined in the prayers of the novena, as directed by the Rev Mr. Dubuisson; and when, on Friday, the 12th of this month, returning from the country, she visited Mrs. Mattingly, and found her restored to perfect health, by so striking an effect of God's power, she could not forbear kneeling down in thanksgiving, and embracing Mrs. Mattingly in congratulation.

Sworn before
CHS. H. W. WHARTON,
Justice of the Peace.

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No. 25.

MR. CHARLES H. W. WHARTON.

City and County of Washington, District of Columbia. } Sct.

March 16th, 1824.

Personally appears before me, the subscriber, one of the judges of the Circuit Court of the United States, for the said District, Charles H. W. Wharton, a justice of the peace for the county and district aforesaid, who after being duly sworn on the Evangels of Almighty God, deposeth and saith, that some time in the year 1821, he became acquainted with Mrs. Ann Mattingly, of this city; that, previous to this acquaintance, the deponent had been informed by the Rev. Mr. Matthews and others, that Mrs. Mattingly had been some years confined to her room and bed, by a disease of a most extraordinary character, which caused the most torturing pains in the patient, and had baffled the skill of all her physicians. That, in consequence of this representation, the deponent was prepared to behold in Mrs. Mattingly, all the consequences which a disease so violent and protracted, is calculated to produce; but he declares, when he saw Mrs. Mattingly, he found her in a much worse condition, than from the description of her case, he had supposed she really was. She was in bed—racked, as it appeared to him, with intense pain, excessively emaciated in her face—and repeatedly throwing up mouthfuls of blood. From this time up to the 8th inst., deponent was in the habit of visiting her repeatedly, sometimes once or twice a week, for weeks together; but upon entering her room, about five or six weeks ago, her disease, it appeared to him, had put on a more formidable character than it had ever assumed, and was marked by those prognostics which usually portend dissolution. She was manifestly more exhausted than he had ever seen her, was throwing up mouthfuls of blood, and in addition to her other complaints, she informed the deponent, that she was every evening attacked with a severe chill, which racked her whole body, under one of which she was then suffering. This deponent further saith, that on Monday the 8th inst., he, for the last time, saw Mrs. Mattingly before her miraculous restoration to health. That she

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appeared to the deponent to manifest the most unequivocal signs of a speedy departure. Her voice was so weak, that deponent could hardly hear her utter a word, even though his ear was closely applied to her mouth. Her hands were cold, and she seemed to be rapidly approaching the last moment of her existence. Her cough, though much weakened, was almost incessant, and the blood she threw from her stomach, was so fetid, as almost to render a station by her bedside insupportable. In this situation, deponent left her, nor did he see her again until Wednesday evening, the 10th of this month, when he found her well. The deponent has visited her every day, from the 10th up to the 15th inst., and has found her quite well, walking about her house, and giving the most undeniable proofs of her perfect, and, as he believes, most miraculous restoration to health.

Sworn to before me, at the city of Washington, the day and year above mentioned.

B. THRUSTON.

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No. 26.

MR. GEORGE SWEENY.

District of Columbia, City and County of Washington. } Sct.

On this 20th day of March, in the year of our Lord 1824, personally appears before me, an alderman for the city, and one of the justices of the peace for the county aforesaid, George Sweeny, principal clerk in the post-office of the city of Washington, who being sworn on the Holy Evangels of Almighty God, deposeth and saith: That he had been intimately acquainted with the family of Thomas Carbery, Esq., mayor of the said city, and with Mrs. Ann Mattingly, the sister of the said Thomas Carbery, for several years; and that he has frequently been informed, within the last six years, as well by the members of the said family, as by many others who were in the habit of visiting the said Mrs. Mattingly, that the said Mrs. Mattingly was, during the whole of that period, of six years or more, up to the 10th of the present month, afflicted with a most distressing and painful malady, which had baffled the skill of her attending and consulting physicians, and which was repeatedly pronounced by them to be, in their opinion, incurable and out of the reach of medicines. That he has frequently visited at the house of the said Carbery, and several times, during the year last past, he has been in the chamber of the said Mrs. Mattingly, and that he always entertained the the belief, that no human skill could restore her to health; that she appeared to him on those occasions, to suffer excessive pain, and at the time of his last visit to her chamber, before her restoration to health, which, as this deponent thinks, was in the latter part of last November, she had such distressing fits of coughing, followed by her vomiting large quantities of blood, as to render his presence extremely painful to him. That he, several times during the last three weeks, immediately preceding the disappearance of her disease, was informed that Mrs. Mattingly's situation had become worse than at any former period; and, on the eighth and ninth days of this month, this deponent learnt from most respectable persons, who had seen her on those days, that she had become so low, as to cause her friends to apprehend her immediate dissolution. That having heard, on Wednesday morning, the tenth of this present month, that Mrs. Mattingly had been suddenly restored to perfect health, he visited her in company with Mr. Nathan Smith, of this city, at about nine o'clock, A. M., and that upon his entering her chamber, she arose from the bed on which she was sitting, walked briskly across the floor to meet this deponent, and shook him heartily by the hand.

He further deposeth and saith, that he has visited the said Mrs. Mattingly, almost every day since her restoration to health, to the present date, and sometimes twice a day: that he has spent several hours at a time in her brother's house, where she resides, and has seen her frequently during such visits, that she has always had a cheerful countenance, and has conversed with the company present, freely, and without embarassment, and that he has not been able to discover in her appearance any symptoms of any disease or ill health whatever, or any vestige of her former malady, other than a general loss of flesh, which, however, as appears to this deponent, she is fast regaining.

Given under my hand and seal, the day and year above written.

R. C. WEIGHTMAN, [Seal.]

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No. 27.

THE REV. JOSEPH CARBERY.

I hereby certify, that my sister, Mrs. Mattingly, has been confined by severe sickness for five or six years. That during this period I have visited Washington three or four times, and always found her extremely ill. That I always left Washington with the impression that I should never see her again, believing, with those who knew her,

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that her case was incurable, and that she could not long survive; and that several times during my last visit, I thought she was in the act of expiring. I saw her sixteen days before her cure.

JOSEPH CARBERY.

St. Inigoe's Manor, March 22, 1824.
St. Mary's County, Maryland.

State of Maryland, } to wit:
St. Mary's County, }

On this twenty-second day of March, Anno Domini, eighteen hundred and twenty-four, personally appears the Rev. Joseph Carbery before me, the subscriber, one of the justices of the peace of the said state, for the county aforesaid, and makes oath on the Holy Evangels of Almighty God, that the above certificate as stated, is just and true, to the best of his knowledge and belief.

LEWIS SMITH.

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No. 28.

DR. JAMES W. ROACH.

St. Mary's County, March 28th, 1824.

I hereby certify, that I have several times seen Mrs. Mattingly, during the last six years; that I always found her sick, several times extremely ill. That I had reasons to believe she never would recover. I was astonished that she could survive so long, reduced as she was to such a state of debility.

JAMES W. ROACH, M. D.

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No. 29.

JAMES M'WILLIAMS.

I have, for the last five or six years, visited the family of Thomas Carbery, Esq., mayor of Washington City; and, when there, always saw Mrs. Ann Mattingly, who was sick, and when I saw her at last so much reduced, I was astonished to find that she lived so long, nor did I think that medicine could cure her.

JAMES M'WILLIAMS.

March 29th, 1824.

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No. 30.

MISS ELEANOR M'WILLIAMS.

I have for five or six years past, once a year, visited Washington City, and when there, I went to see Mrs. Ann Mattingly, and found her much reduced from sickness; and the last time she was so weak that I could not understand what she said, unless I went to the bed to her; nor did I ever expect she would recover her health again.

ELEANOR M'WILLIAMS.

March 29th, 1824.

St. Mary's County, Sct.

March 29th, 1824. Personally appeared before me, the subscriber, a justice of the peace for the state of Maryland, in and for the county as aforesaid, Dr. James W. Roach, James M'Williams, and Eleanor M'Williams, and each of them made oath on the Holy Evangels of Almighty God, that the foregoing certificates, as signed by themselves, are true to the best of their knowledge and belief.

Sworn before

GEORGE M'WILLIAMS, [Seal.]

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No. 31.

REV. ANTHONY KOHLMANN.

City and County of Washington, } Sct.
District of Columbia. }

On this twentieth day of March, in the year of our Lord 1824, personally appears before me, the subscriber, a justice of the peace for the county aforesaid, the Rev. Anthony Kohlmann, of Prince George's county, in the state of Maryland, who, being sworn on the Holy Evangels of Almighty God, deposeth and saith, that, whilst residing at Georgetown College, between five and six years ago, he became acquainted with Mrs. Ann Mattingly, who then was ill —that soon after, he was called to visit her, the Rev. Mr. Matthews being absent; and, as everybody thought her at the point of death, he administered to her the Holy Viaticum and Extreme Unction; that, ever since that time, he has been intimate in the family of her brother, Capt. Thomas Carbery; and during his residence in the City of Washington, (from October, 1820, to July, 1823,) on his frequent visits, he often found Mrs. Mattingly vomiting a great deal of blood, with a mixture of matter resembling pieces of flesh, which threatened to suffocate her. That, once in particular, she described to him the tumour on her side, as so painful, that the softest linen, pressing on it, caused her the most acute pains, and such sufferings, as if sharp knives were constantly thrust into her body; and that, during the last six months, on his occasional, though pretty frequent visits from country, he has seen her subject to fits of coughing, as if her whole frame would break into pieces, which it sickened him to witness. In short, that he can say he has seen her in a state of excruciating pain, with little or no abatement, for nearly six years.

The deponent further saith, that he was most earnest in inviting Mrs. Mattingly to have recourse to the prayers of Prince Alexander de Hohenlohe, as he was full of

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hope that her's was a case reserved by the Almighty for the manifestation of his extraordinary favours to his Church; that after it had been agreed upon that she should do so, and unite in prayers with the Prince, on the 10th of the present month, of March, being informed by the Rev. Mr. Dubuisson of the day when the previous nine days devotion should begin, he joined in it; that, on the 9th of this month, he paid a visit to Mrs. Mattingly, late in the evening, and found her as low as he had ever seen her—that to him she had all the appearances of a dying person—that her voice was so weak, that he had to apply his ear to her lips to distinguish her words, and she told him she could scarcely see or hear. That, notwithstanding, full of confidence he told her; "all this is for the better," and was greatly edified by the evidences which she gave of her faith and resignation. That, on the next morning, (the 10th,) he said mass, in the Chapel of Georgetown College, at half after 3 o'clock, in union of intention with all the persons who performed the devotion—prayed with more than usual confidence, and cannot pretend to describe his feelings, when, in about an hour or two afterwards, he learnt that Mrs. Mattingly had been suddenly cured at 15 minutes after 4—and, about 9 o'clock, on the same morning, with his own eyes, beheld her restored to that health, of which it was universally thought she was bereft for ever.

Finally, this deponent wishes it particularly to be recorded, as his invariable opinion, that from the state of excruciating pain in which he saw Mrs. Mattingly, for nearly six years, her sudden recovery fell hardly short of a resurrection from the dead, nothing indeed but divine Omnipotence being capable of reorganizing into a perfect state of health, and in an instant, such a frame as hers was, the wreck of sickness and corruption.

ANTHONY KOHLMANN.

Sworn and subscribed before
WILLIAM THORNTON, [Seal]
Justice of the Peace.

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No. 32.

THE REV. STEPHEN LARIGAUDELLE DUBUISSON.

I have had the honour of Mrs. Mattingly's acquaintance, (a sister of Captain Thomas Carbery, the present mayor of Washington,) for more than two years. I habitually visited her, and always found her a prey to an inward illness, with which, I was told, that she had been taken about six years ago. The symptoms which I witnessed, or frequently heard herself state, were the following:

She constantly felt excruciating pains in her chest, on the left side. It seemed as if her inside frame, in that part, were corroded by a cancer. She usually threw up blood and a mixture of corrupt matter, in such quantity that it may well be said to have been by full bowls. Owing, no doubt, to that internal ulcer, her breath was extremely offensive. Oftentimes she spoke to me of a red and hard spot, below her left breast, which at intervals threatened to break open. From the violence of the pains in her breast, she had lost the use of her left arm, so far as to have been unable to lift it up, or to use it in dressing, without assistance for about six years. In her worst paroxysms, which lasted not merely a few days, but whole weeks, and returned several times each year, it was impossible for her to take any substantial food whatever. She has spent as long as four weeks together, literally without swallowing anything else than a few cups of tea or coffee. She then used to be reduced to that state of weakness, that she could not stir from her bed; and it was a subject of astonishment to all her friends, that she lived. Towards the last period, she experienced an increase of malady. She was taken about six months ago with a cough, which became worse and worse, and for the last six weeks was such, as to place her in imminent danger of expiring in the height of the fits. I do not recollect ever witnessing anything like it, both for violence and the puking of blood with which it was attended. Finally, she was taken a few weeks since, with chills and fevers. In short, so continually was the state of suffering of Mrs. Mattingly, that I remember only one period when she enjoyed some relief, and that but a temporary and very incomplete one; particularly for the few weeks immediately preceding her cure, she was in a sort of agony, which I found almost everybody judged must have been the precursor of her departure from this world.

The physicians consulted on the case, or who attended, had declared that it was evidently out of the reach of medicine. Mrs. Mattingly has always been remarkably religious in her disposition: some of her friends suggested the step of applying to Prince Hohenlohe, for his prayers in her favour, as the power granted him from Heaven to cure suddenly diseases beyond the reach of human skill became daily more manifest. She did not ask it: her resignation was as great as her sufferings were acute: she agreed to it, however, as a

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means of recovery, in which she felt inclined to put great confidence. The Rev. Mr. Anthony Kohlmann was to write to the prince. Captain Thomas Carbery, on the occasion, in March, 1823, drew up a statement of Mrs. Mattingly's sickness in its origin and progress, which was confirmed, under signature, by Doctor Jones, her attending physician. Mr. Kohlmann was obliged to leave the city, to reside in Prince George's County, without having written to the prince. He knew that I intended to make application to the prince for some other persons, and requested me to include Mrs. Mattingly in my list of petitioners—I promised to do so, but my professional duties, numerous and incessant, left me no leisure time, and the very delicate nature of the step caused in me an involuntary tendency to procrastination; so that, it was not until November last, that I spent an evening at Captain Carbery's house, for the express purpose of writing there a letter to the priest, Prince Hohenlohe. I then penned a draught of a letter, which draught I now have among my papers; but I still delayed, and finally my letter went only under date of the 2d of January last, enclosed in some other despatches, in the care of Mr. Petry, formerly the consul-general of France at Washington. I assuredly could not expect an answer from the prince by this time.

In the beginning of February last, Mr. Kohlmann, returning from Baltimore, reported that the Rev. John Tessier, a vicar-general of the diocess of Baltimore, had received a letter from Prince Hohenlohe, stating that his highness would offer up his prayers, on the 10th day of every month, at 9 o'clock, A. M., for the benefit of those persons, living out of Europe, who wished to unite in prayers with him. It was immediately proposed that Mrs. Mattingly should apply for the efficacy of the prince's prayers, on the tenth of the same month of February last. But the prince recommended a nine day's devotion, in honour of the name of Jesus. I was of opinion, that this religious exercise must have been gone through previously to the day appointed to pray in union with the prince. I therefore, invited Mrs. Mattingly to wait until the 10th of the present month of March. Meanwhile, impressed with a kind of awe, by the nature of the proceedings, I determined to act with the utmost circumspection. Accordingly, I wrote to the Rev. Mr. W. Bescher, in Baltimore, to obtain some more positive information. His answer fully satisfied me with regard to the existence of the letter on the part of the prince, received in Baltimore, and likewise respecting several late striking cures in Holland. Not contented with those precautions, I would have the approbation of the head pastor of the diocess, Archbishop Marechal, before taking upon myself to direct the infirm persons alluded to in their devotions, in such a step, as an application for their cure from Heaven, through the efficacy of the prayers of Prince Hohenlohe, a Roman Catholic priest, residing upwards of 4000 miles from this place, and at the precise time of prayers in union with him. I consequently wrote to Archbishop Marechal, whose answer confirmed the information I had already received, communicated various directions on the mode of proceeding, and graciously promised his joining in prayer with us, on the appointed day, 10th of March instant.

I owe it to the truth, to say, that I then should have been unjustifiable in my own eyes, had I not directed, assisted, countenanced Mrs. Mattingly, and a few more persons similarly situated, in their call upon Heaven; and that, if I had delayed so long, it had by no means been from distrust, for I had not the least doubt left on my mind, concerning the miraculous cures obtained by Prince Hohenlohe's prayers in Europe, and I entertained a lively hope that Heaven would grant us also some favour of that kind.

We, therefore, entered upon the preparatory exercises of devotion. According to the directions which I had gathered from various sources, we proceeded as I am going to state.

The novena, i. e. nine days devotion, in honour of the *name of Jesus*, began on the 1st day of March, so as to be concluded previously to the 10th. It consisted of the Litany of the holy *name of Jesus*, with some other prayers, such as the acts of faith, hope, charity, and contrition, and the short ejaculation: *Lord Jesus! may thy name be glorified.*

In order to pray, as much as possible, in union of hearts, at the very same time, it was agreed upon, that those religious exercises should be performed, every morning of the novena, precisely at sun-rise. The relations and most intimate acquaintance of the infirm persons joined in the devotion, and I spoke, or wrote, to many of my colabourers, and also several other religious persons, inviting them to join in prayer with us, particularly on the morning of the 10th. I imagine that the number of those who, in this country, thus implored Heaven, for the favour alluded to, in union with Prince Hohenlohe and his own friends in Germany, was nearly two hundred.

During the course of the novena, Mrs.

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Mattingly was desperately ill; I saw her on the 20th of February, and the 7th and 9th of March, always confined to bed, and frequently in those fits of coughing and vomiting of blood, which looked very much like her last struggles with death. When I left her, on the 9th, at about half past 10 o'clock at night, she was worse than ever, and there was an expression of gloom upon all physiognomies in the family.

The essential conditions required by the prince, on the part of the infirm, are a lively faith, an unrestricted confidence of being favourably heard, deep sorrow for sins, and an immovable purpose (to use the literal translation of his own words) of leading an exemplary life; a novena, in honour of the *holy name of Jesus:* the reception of the sacraments of penance and the eucharist, and prayers in union with him, at the appointed time.

The time appointed by the prince, for persons residing out of Europe, is as above stated, the tenth of each month, at 9 o'clock in the morning. In consequence of the difference of longitude between this continent and Germany, the difference in the rising of the sun is about six hours; so that here 3 o'clock after midnight, is about the corresponding hour to nine in the morning at Bamberg, where the prince usually resides. I, therefore, requested the families to be up, and at prayers from 2 o'clock, and the Rev. Mr. W. Matthews, the Rector of St. Patrick's church, being Mrs. Mattingly's confessor, heard her confession on the evening of the ninth, that she might be in readiness to receive the adorable Eucharist early next morning.

I celebrated Mass in St. Patrick's church at half past 2 o'clock, and afterwards carried the blessed sacrament to Mrs. Mattingly, at her brother Capt. Carbery's house. On my arrival, she was in the same state of extreme weakness and suffering, and a paroxysm of her cough, which came on, made me almost apprehensive lest she might be prevented from receiving communion, but it proved of very short duration. This was the hour of expectation.

I dispose everything according to the rites of our church. A small towel was to be put under her chin: she would help to fix it, but finds herself unable to lift up her arm. I address her with very few words of encouragement—telling her that the best possible exhortation for her, was the very letter of Prince Hohenlohe's directions, which I read to her. I then gave her the holy communion. There were some consecrated hosts left in my pix. I shut and wrap up the whole—give the usual blessing to the family (there were five persons in the room, relatives or friends)—and kneel down before the blessed Eucharist, previous to taking it with me on retiring: when, behold! Mrs. Mattingly fetches a deep sigh—rises slowly to the sitting position—stretches her arms forward—joins her hands—and exclaims, with a firm though somewhat weak voice: "Lord Jesus! what have I done to deserve so great a favour." The emotion, the affright of the persons in the room, is betrayed by sobs, and tears, and half-suppressed shrieks. I rise, with a thrill through my whole frame—step to the bed side—she grasps my hand;—"Ghostly father!" she cries out, "what can I do to acknowledge such a blessing." My first, my spontaneous expressions are: "Glory be to God!—we may say so! oh! what a day for us!" I then bid her say what she felt: "Not the least pain left." "None there," said I, pointing to her breast—"not the least, only some weakness." I ask her how she has come to be relieved. She had felt as if she were dying from excess of pain—had offered up a short prayer of the heart to *Jesus Christ*—and instantly had found herself freed from all sufferings whatever.

"I wish to get up," she exclaims, "and give thanks to God on my knees." "But," I replied, "can you?" "I can, if you will give me leave." Her sisters immediately look for her stockings (she used to lie in bed nearly dressed)—but upon my observing that our very first occupation should be to give thanks, we kneel down, she remains sitting in her bed—and all recite three times the *Lord's Prayer*, with the *Hail Mary*, and *Glory be to the Father, and to the Son, and to the Holy Ghost*, as also, the short ejaculatory prayer, *Lord Jesus may thy name be glorified!* She joins with continued firmness of voice—(I then looked at my watch: it was twenty-two minutes after four. I accordingly estimated that the cure had been effected at about fifteen minutes after four.) Directly after, her stockings are brought—she is surrounded by her friends—gets up, and walks, unassisted, and with steady deportment, to the table, dressed in the shape of an altar, on which the blessed Eucharist lay—there bends her knees, and remains for a while lost in an act of adoration.

I confess that the impression upon my soul was so profound at the sight of the whole scene, but particularly of this last circumstance, that I do not think it could have been more so had I seen Mrs. Mattingly dead and raised to life again. In the habit of finding her perpetually in bed or on a sofa, racked with pains, spitting, vomiting blood—when, at once, in the sudden

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transition of one minute to another, I saw her rise up, stand, walk, kneel down, and speak with words, and in a tone of voice, which denoted soundness of mind as well as of body—I underwent, I believe, the very same sensation as if I had seen her rise out of the coffin. There was, especially in her look and features, something which I shall not undertake to depict; an expression of firmness, and of earnest, awful feelings, the recollection of which it will be my consolation to preserve through life. O faith in Jesus Christ! those are thy effects.

As I had to hurry on to another sick person's house, I left Mrs. Mattingly about ten minutes after her cure. I immediately determined upon going on the same day to Baltimore, to be myself the bearer of the important news to our venerable prelate, Archbishop Marechal. But multiplied engagements detained me until eleven o'clock. Then, on the point of leaving Washington, I went down in company with the Rev. Mr. Matthews to see Mrs. Mattingly again. She came and met us at the door, knelt down to receive her pastor's blessing, in short, looked and acted as one perfectly restored to health, who has only more strength and flesh to recover.

We are now, on the 17th of March, seven days, therefore, have elapsed since her cure. She is daily acquiring strength, as is witnessed, I may say, by the whole city, which flocks to Capt. Carbery's house in order to see her. Dr. Jones, her physician, has examined her, and found no vestige of the red tumour which she had on her side, nor any sign whatever of ill health; a very remarkable trait; as also the following, which several of her friends have been able to ascertain: Previous to her so sudden recovery her breath, as I mentioned before, was extremely offensive; from that moment all kinds of unpleasant effluvia from her stomach have been dispelled; and she declares that she constantly has a taste like that of loaf sugar in her mouth.

Whilst in Baltimore, on the 11th, I hastily drew up, in French, a provisional account of this glorious event for Prince Hohenlohe, and left it with the Rev. W. Bescher, Pastor of St. John's Church, to be forwarded by the first opportunity. I deemed that step a duty of gratitude to the truly blessed man, whom the Almighty thus makes the instrument of his wonders for the benefit of mankind; as I now feel it a sacred part incumbent upon me to procure authenticity and notoriety to this deposition, in order that God may be praised in his works; a deposition to which I swear on the holy Gospel of our Lord Jesus Christ, with full certitude of accuracy, and which, I trust, I would subscribe with my own blood.

STEPHEN LARIGAUDELLE DUBUISSON.

City of Washington, 17th March, 1824.

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District of Columbia, County of Washington. } Sct.

Be it remembered, that on the 17th day of March, 1824, before the subscriber, one of the justices of the peace, in and for the said county, personally appears the Rev. Stephen Larigaudelle Dubuisson, Assistant Pastor of St. Patrick's Church, in the city of Washington, who being sworn according to the law, makes oath that the foregoing statement, subscribed by him, and any matter and thing therein contained is true. Witness my hand.

JOHN N. MOULDER, [Seal.]
Justice of the Peace.

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No. 33.

THE REV. WM. MATTHEWS.

Mrs. Ann Mattingly, from St. Mary's County, State of Maryland, has been a respectable and pious member of my congregation for about fourteen years. The inveterate disease, of which she has been lately cured, commenced in the year 1817. In the spring of the ensuing year, it assumed a very alarming appearance; she was considered to be in danger of death, and received the rites of the church as a dying person. Her complaint was a pain in the left side, which caused constant spitting and frequent vomiting of blood, followed by great debility, and sometimes cramps in the breast. She told me she also experienced a most acute and incessant pain, from a lump on her left side, of considerable magnitude, which was quite hard and inflamed, and which deprived her of the use of her left arm. She had recourse to various remedies to bring the lump to a head, or to scatter it, but in vain; it continued hard and undiminished till the moment of her cure. During the first five years of her illness, I visited her two or three times a month, and sometimes oftener; but during the last year, I visited her regularly once a week to receive her confession, and give her communion. Although her pains were not equally excruciating, yet, as she told me, she never enjoyed a moment's cessation of them. During the last five or six months of her illness, she was afflicted with a most distressing and obstinate cough, and for several weeks preceding her cure, with chills and fevers every afternoon. During the course of her

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painful and long-protracted malady, she apparently suffered more than I thought a mortal frame could endure, and with heroical fortitude and edifying resignation. I never heard her utter a complaint—she never showed any solicitude to regain her health, her prayer was, as she told me, that the will of God might be done in her. During the first nine days' of March; she performed a novena, or nine days devotion to the sacred name of Jesus, which was to be concluded by receiving communion on the tenth. On the ninth, therefore, I visited her at night to hear her confession, preparatory to her going to communion in the morning. Whilst I remained near her, she appeared to suffer most excruciating pains; twice she had cramps in her breast; her expectoration seemed extremely painful and difficult; her voice was very low—hardly audible. They moistened her lips and tongue, four or five times while I remained, with cold water in a teaspoon. I proposed to give her laudanum, her sister observed she had already taken two hundred and fifty drops during the evening. I left her at about half after ten o'clock, apparently in the jaws of death. Rev. Mr. Dubuisson who said mass very early in the morning, gave her communion a little after four o'clock, and immediately hurried back, to inform me that she was instantaneously restored to perfect health after receiving the blessed sacrament. I went down to Captain Carbery's to view the astonishing event. When I arrived, Mrs. Mattingly opened the door! with a smiling countenance, shook my hand. Although prepared for this meeting, I could not suppress my astonishment at the striking contrast produced in her person in a few hours; my mind had for years associated death and her pale emaciated face; a thrilling awe pervaded my whole frame: from that day to the present date, Mrs. Mattingly assures me she has enjoyed perfect health.

WILLIAM MATTHEWS,
Rector of St. Patrick's Church.

May 18, 1824.

Sworn to before
JAMES HOBAN, [Seal.]
Justice of the Peace.

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No. 34.

† JOHN, BISHOP OF CHARLESTON.

Ann Mattingly, of the city of Washington, widow, being duly sworn, deposes and says, that on the tenth day of March, in the year of 1824, after several years of severe illness, she was instantaneously restored to perfect health, after having received the holy communion of the body and blood of Christ, in the holy sacrament of the Eucharist, in the manner and under the circumstances by her heretofore described and published, as sworn to by herself and others. That she then and since and now was and is under the impression that the said restoration was a miraculous interposition of her merciful God, because she neither knows nor has she been informed that there existed any possible mode of explaining the said restoration as a natural consequence of any natural cause known or believed to be found at the time or previously in her person or circumstances. She further deposes and says, that since the said restoration she has uninterruptedly continued to enjoy excellent health. And further she deposes and says, she did at the time that her first affidavits were taken, and repeatedly since that period, mention to several persons the facts which are testified in the present deposition, and that several of them were notorious to her family and friends previous to the said period of her restoration: but that in framing the documents published heretofore, she was guided by the judgment of others whom she considered better qualified than herself to determine what facts it would be material to publish; and that in the holding back of some, there was not, on her part, any intention or desire, nor, as she believes, on the part of any other person concerned in the former publication, to conceal or to withdraw any fact in order to give a false colouring to her case, or to leave or to create any unfair or partial impression upon the mind of any person; but her intention was, and she believes that of the other persons concerned to have been, to give all the substantial facts of the case, so as to lay it fully and fairly before the public, but merely to withhold through feelings of delicacy, some facts which, however strong in themselves, were not considered as necessary to that full and fair view which it was intended to exhibit. And she further deposes and says, that the present deposition is made at the suggestion and desire of the Right Reverend John England, Bishop of Charleston, at whose request she made one regarding the facts testified in this present document, upwards of three years since; but that the present deposition does not contain, nor did the former deposition contain any fact or statement suggested by him or by any other person, but merely statements frequently repeated by this deponent to others, and all arising from her own know- and unaided recollection of facts.

This deponent then says, that for years previous to the said day of her restoration, she being chiefly confined to bed and obliged

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to remain nearly in one posture, her back and shoulders had become so exceedingly sore as to be extremely troublesome and painful, the skin having been broken through in several places, and ulcers having been formed: the sensation she felt was generally like that of severe burning; she mentioned it to Dr. Jones, the physician by whom she was attended, but she does not recollect that she exhibited any of the sores to him; she was in the habit of frequently dressing those ulcers with a preparation spread upon linen rag; in applying this dressing, she was generally aided by her sister, Ruth Carbery, but she did not through delicacy permit her to see the part of her back which gave her most pain, and which she believes was most ulcerated: but she gave her the plasters which had been removed from the ulcers, and they were generally offensive in their appearance: this deponent also received the first plasters from her said sister principally, though sometimes also from other female friends. This deponent further says, that she has frequently suffered great pain from the removal of her inside clothing, which adhered often to the plasters and even to the ulcers; and that the appearance of the clothing thus removed, and sometimes also of the bed on which she lay, showed the considerable discharge from the ulcers of her back. She further deposes and says, that, within the week previous to her said restoration, this soreness of the back was exceedingly troublesome, and that she had changed the dressing twice or thrice within that period; and further, that on the morning of her said restoration, and just previous thereto, she felt the clothing of her back adhering to the ulcers of the back so as to be extremely painful, and it would have been a serious relief to her to have been dressed, but her state of exhaustion and weariness was such that she preferred suffering the pain of the undressed sore, than submit to or make the exertion of dressing it. Deponent further says, that at the moment of receiving the holy communion, as before described by her, she felt herself instantaneously and perfectly freed from all her pains and sickness, at about four o'clock in the morning, but such was her own feeling and occupation, and that of her family and friends who surrounded her, that neither she nor they adverted to the state of her back during nearly three hours. Deponent says, that during that period she had not changed the inside clothing which she wore during the night, but that about the hour of seven o'clock in the morning of the said tenth day of March, she, after considerable exercise, sat down on a low hard chair with wooden rungs at the back, and whilst she was leaning her back against the chair, Mrs. Sybilla Carbery, her uncle's wife, who observed it, remarked, "Nancy, you have forgotten your back, and you are sitting in that hard chair; does it not hurt you?" or words to that effect. Upon which remark the deponent answered, "No, Aunt Carbery; it is perfectly well." This deponent then retired to examine her back and to change her clothing, and she says that she found, as far as it was possible for her to examine and to observe, her entire back and shoulders perfectly whole and sound, and free from any pain or tenderness, or appearance of ulcer or of a healed sore, but the skin altogether continued unbroken, and as if it never had been sore, and her clothing was also perfectly free from any appearance of having adhered to an ulcer; though she was perfectly and painfully conscious of the adherence thereof within the space of four hours before this examination.

This deponent further says, that during nearly six years which have now elapsed since this perfect restoration, she has not perceived or felt any return of this pain or ulceration under which she had been so long previously suffering; she further says, that amongst several persons to whom she related the above facts, she recollects having mentioned them about four years since to Miss Joanna England, sister of the Bishop of Charleston, at the time that she accompanied her said brother on a visit to this city.

ANN MATTINGLY.

Sworn to before me, on the second day of November, 1829.

C. H. W. WHARTON, J. P.
Of the County of Washington,
in the District of Columbia.

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No. 35.

† JOHN, BISHOP OF CHARLESTON.

Washington, November 2d, 1829.

Ruth Carbery, of the city of Washington, being duly sworn, deposes and says, that she is sister to Mrs. Ann Mattingly, whom she has known to have been in a deplorable state of illness during some years previous to the 10th day of March, 1824, when she was suddenly, and as this deponent believes, miraculously restored to perfect health, in which she has continued and now is. This deponent says that she was in frequent attendance upon her said sister Ann during her sickness, and that she has known her frequently, during a long period of that time, to complain of the sore and

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ulcerated state of her back, caused, as this deponent believes, by the long confinement to her bed, and the position in which she was obliged to remain, by reason of the large and sore tumour with which she was afflicted. This deponent frequently prepared, and gave to her said sister, a dressing upon linen rags, to be applied to the sores of which she complained, and received from her said sister the soiled rags which had been taken from the back, which rags were, in general, greatly soiled with the usual matter of ulcers, and sometimes offensive, and showed the high state of ulceration of the parts from which they had been removed. This deponent further says, that the state of the inside clothing and the bed-clothes which had been removed from her said sister, usually during a considerable time previous to the said 10th day of March, and up thereto, was such as to show great ulceration of the body which came in contact therewith. And she further says, that she has often at that time seen the shoulders of her said sister Ann Mattingly highly inflamed and having running sores, but her said sister told this deponent that the state of her back was much worse, and from what she has received as removed by her sister from her back, and from other indications, she has no doubt but that such was the fact. And she further says, that her said sister has never, since the 10th day of March, complained of any soreness, but continually declared that her back and shoulders were then instantly healed and continued to be perfectly well; and this deponent says that she has been continually living with her said sister upon the most familiar and sisterly terms ever since the said tenth day of March, and that as far as she can observe, she is certain the declarations of her said sister are true.

RUTH CARBERY.

Sworn and subscribed to on the 2d day of November, 1829, before

C. H. W. WHARTON, J. P.,
Of the County of Washington, D. C.

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No. 36.

† JOHN, BISHOP OF CHARLESTON.

Washington, November 2d, 1829.

Catherine Carbery, of the city of Washington, being duly sworn, deposes and says, that she was, during a considerable period previous to the 10th of March, 1824, in frequent attendance upon her sister Mrs. Ann Mattingly, who was in such a state of illness as that no hopes were entertained of her recovery, when upon the said day at a very early hour in the morning, she was suddenly, and as this deponent believes, miraculously restored to health and soundness, in which she has continued and now is. Deponent further says, that during a long period previous to the said 10th day of March, her said sister Ann complained of the sore and ulcerated state of part of her back, as also of great occasional soreness of her shoulders, occasioned, as this deponent believes, by the manner in which her sister was obliged to remain in bed, by reason of a tumour of a very painful and afflicting description upon her side. This deponent says, that she frequently assisted in giving her sister a preparation of oil and cream upon linen to apply to the said ulcers of her back, which preparation her sister used to apply herself; and this deponent also frequently received from her said sister the soiled cloths which had been removed from her back, and which bore all the appearance of having been taken from a very unpleasant sore, being offensive and stained with the matter which usually comes from ulcers. Deponent further says, that her said sister Ann Mattingly often complained to her of the manner in which her inside clothing adhered to the sore back, and deponent has herself seen the clothing which had been removed from her said sister, bearing every appearance which would indicate that such was the fact. And this deponent says further, that she knew this to be the case without any change during a long time before and up to the said 10th of March, on which day her said sister was perfectly cured, but that she distinctly recollects that either on the day or on the next after, which she cannot now positively say, she either was present or heard, or it was immediately told to her, that her aunt Sybilla Carbery remarked to her said sister Ann Mattingly, that she was sitting on a chair with a hard back, and asked if she was not hurt; and that her sister Ann declared that she was not, for that her back was quite well; and that after examining herself, her said sister returned, declaring that her back was perfectly healed, and that the skin was as smooth upon the place which had been sore, as was that upon the back of her hand, which she was rubbing at the time. And she has never heard her complain of it being sore from that day.

CATHERINE CARBERY.

Sworn and subscribed before me, on this 2d of November, 1829.

C. H. W. WHARTON, J. P.,
Of the County of Washington, D. C.

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No. 37.

Sybilla Carbery, of the city of Georgetown, widow, being duly sworn, deposes and says, that she is widow of the uncle of Mrs. Ann Mattingly, of the city of Washington, who had been in a state of extreme illness during a long period previous to the 10th day of March, in the year 1824, when she was suddenly, and as this deponent believes, miraculously restored to health and soundness of body, in which she has uninterruptedly continued to this present time. This deponent says that she was in the habit of seeing the said Ann Mattingly often in the year previous to the said 10th of March, and that it was well known to her as to all the other members of the family, that said Ann complained of the state of her back, which she described as seriously ulcerated and extremely painful by reason of the manner in which she was obliged to remain in bed on account of a large and painful tumour on her side. This deponent frequently saw the dressing of sweet oil and cream prepared in order to be applied to the ulcers of the said Ann Mattingly's back; and she and all other members of the family, as far as she could learn or observe, were fully convinced that just previous to the said 10th of March, and on the morning of that day, the said Ann's back was in as sore and ulcerated a condition as it had been at any previous time. This deponent says, that at about 7 o'clock on the morning of the said day, and about three hours after the said Ann had been restored to health, this deponent observed her sitting upon a low wooden chair, with a hard back, and remarked to her, "Nancy, you have forgotten your back, and you are sitting on that hard chair; does it not hurt you?" or some such words; the said Ann being then leaning her back upon that of the chair; upon which the said Ann replied, in substance, "Dear me, no Aunt Carbery, it is perfectly well;" and the said Ann retired for some time, and upon her return declared that she was perfectly healed, and that the skin upon it was as unbroken and smooth as that upon the back of her hand, which was whole and entire and sound. And this deponent has continued upon terms of intimate and affectionate intercourse with the said Ann and the other members of the family, and never since heard or believed or suspected that her back or shoulders have been ulcerated or sore since the said tenth of March.

SYBILLA CARBERY.

Washington County, District of Columbia, November 3d, 1829.

There came Mrs. Sybilla Carbery, party to the within deposition, before me, John Threlkeld, a justice of the peace for the said county, and solemnly made oath on the Holy Evangelists of Almighty God, that the facts respecting Mrs. Ann Mattingly, within stated, are just and true to the best of her belief and knowledge. In testimony whereof, I have hereunto set my hand and seal, date above written.

JOHN THRELKELD.

DOCUMENTS RELATING TO MIRACLES OF PRINCE HOHENLOHE.

SECTION I.

WE took up with some interest the [Edin.] Review for October, 1823, seeing the Art. iii. purported to be a review of "An authentic narrative of the extraordinary cure performed by Prince Alexander Hohenlohe on Miss Barbara O'Connor, a nun, in the convent of New Hall, near Chelmsford; with a full refutation of the numerous false reports and misrepresentations. By John Badelly, M. D., Protestant Physician to the Convent. Third edition, London. Whittaker, 1823." We were not disposed to believe the compilers of the Review would allow the fact of a miracle having been wrought. In this surmise we found ourselves correct. But we did expect something like a rational article. In this we were disappointed. We have not seen the Doctor's book. We cannot, of course, give any opinion as to the propriety of the criticism thereupon; and had the article been confined to this book, though we should have condemned many of the principles of the Reviewer, we should not venture to question the special conclusions which he draws, regarding a publication which we have not read.

But the article embraces a wider scope, and ranges from London to Dublin, and then to Bamberg, and back to Ireland again, with as much velocity as if it pos-

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sessed supernatural powers of locomotion. It adverts to other cures, the details of which we have seen, and from the inspection of those details we are enabled positively to state, that the writer of the Review was either culpably negligent and criminally careless, or wilfully deceitful,—for he has made some very serious misrepresentations, with a flippant dashing mode of assertion, which frequently unfits the mind of the reader for that close observation which is essential to accurate knowledge.

Upon the subject of Prince Hohenlohe's works, whether miracles, delusions, or impostures, we neither have formed an opinion, nor are we likely to form it very soon. We agree with the Reviewers, that performers of works of this sort "must, from the very first, carry on their operations in the glare of day, and under the pressure of a thousand adversaries." This is the case with the clergyman who is stated to be the instrument of those miraculous cures. It is now upwards of two years since we first heard of his acts in Germany and in France; we latterly find witnesses rising up in Great Britain and Ireland. Scarcely a month has elapsed during those two years, without our receiving accounts of one or more cures—those things are done "in the glare of day." We also find the statements assure us that they take place "under the pressure of a thousand adversaries." Adversaries in Germany, in France, in England, in Ireland, in Scotland, in Holland,—we could add more. This may satisfy the reviewers, it will not satisfy us. We require more,—we require evidence of the facts,—we require evidence that they are not the effects of any known natural cause; that they are such as *could not* be consequences of any immediate natural cause which was known to exist, or *might* have existed, under the *peculiar circumstances* of the several cases; and we want some time to elapse, so that the mind shall have power fully to examine and dispassionately to weigh the testimony.

We say, in a word, it is possible that God might have wrought miracles through the agency of Prince Hohenlohe,—but we have not as yet had to our minds evidence of the fact.

Now, we shall state one or two gross misrepresentations in the reviewers. They state, pp. 65 and 66, "But for the German prince, what excuse shall be urged? Can he really believe *himself gifted* with supernatural powers? * * * * It is barely possible; but certainly few things can be less likely than such an explanation, while it is the ONLY *conceivable* means of avoiding the inference which would stamp him as *the very chiefest of* IMPOSTORS."

They state, p. 55, "To which of those two classes Prince Hohenlohe belongs, or in what proportions the 'enthusiast and dissembler mix in his deportment' (as Bishop Burnet says of Cromwell), we shall not here very curiously inquire. Thus much is plain, that even in this present enlightened age (so inveterate are men's propensities towards the marvellous, and so eager their thirst for an intercourse with a higher world), a considerable class of persons are to be found ready to believe *him possessed of supernatural powers*."

The good gentlemen had previously quoted their countryman, David Hume, in whose speculations we suspect they fully concur,—notwithstanding the professions they so pompously insinuate of their attachment to the religion of the state. David, of course, looked upon Moses and the prophets, upon our blessed Redeemer and his Apostles, in exactly that light in which his good countrymen exhibit this German prince. If they concur in opinion with this bewildered, bewildering sophist, we can only quarrel with them for want of sound logic; but if they do, as they appear to profess, believe in the divine mission of any one of the Prophets or Apostles,—if they believe that the Book of Exodus, or the Gospel of St. Matthew, or the Acts of the Apostles be true histories,—then we tax their honesty.

One principle which even they will not deny, if they allow the existence of a God, is that he is immutable,—He does not lose his power by the process of time, his perfections are not diminished by age; another principle equally incontestable is found in the clear consequence, that if God could, at any former period, use the instrumentality of man for any purpose, he can do so again. He can do so now, equally as he could in the time of Moses, or of Peter, or John. A fact admitted by all who believe that those men wrought miracles, is, that they did not claim *to be gifted with*, nor to be *possessed of supernatural powers*. Another fact is equally admitted, by Jews with regard to the first, by Christians with regard to all; they were not the *very* CHIEFEST *of impostors*, nor *chiefer*, nor *chief*, nor in any way impostors. Therefore, to all Jews and Christians there is a *conceivable* mode different from the ONLY one which our Scotch friends have discovered, unless they belong to some division or sect which denies to God the power of making man his instrument for doing supernatural works, without giving that man an inherent power, or gift, or possession of such description. We leave

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the gentlemen their choice,—they either knew not what they wrote, or they want religion, or they want logic, or they want honesty, or they want all.

But what renders the reviewers inexcusable is, they furnish the evidence of their own, shall we call it criminality. In p. 56, they give the French letter of the prince without translating it; after their specimen of criticism upon the translation of Doctor Badelly, who shall dare to say they were not competent to the task? Bowing down in all *Christian* humility before the awful throne of the potent linguists, still we would venture to suggest that the doctor might have been right. But our quarrel is not with their science, our charge is upon their honesty. The prince writes to Miss O'Connor, "je dirai pour votre guerison mes prieres," —which being put into such English as America affords, means, "*I will say my prayers for your cure.*" Now, a man who prays, asks another person to grant his prayer—and thereby testifies that, although the grant might be obtained through his instrumentality, it is not obtained from him, but from another to whom he addresses himself. Another passage of the letter is, "Joignez-y les votres,"—"*Join yours to them.*" Here they both pray,—the question is to whom? "Avec cette ferveur evangelique, et cette confiance pleniere, que nous devons A *notre redempteur* JESUS CHRIST,"—that is, "with that evangelical fervour and that full confidence which we ought TO OUR *Redeemer* JESUS CHRIST." It is plain that prayer to God, and confidence in Jesus Christ our Redeemer—and not any supernatural power with which Prince Alexander Hohenlohe was gifted—were to be the means resorted to for the cure, of course it was to be expected from God; and though he might vouchsafe to listen favourably to the prayers of the prince, the Lord of creation, and not the creature to whom he was favourably inclined, would be the author. With this plain evidence before them, was it honest to distort the features of a case which they undertook to review?

Our readers have but a very imperfect sketch of the dishonesty of their short article in what we have thus exposed. They give the pastoral letter of Archbishop Murray, of Dublin, regarding the case of Mrs. Stuart; which pastoral contains the following words in plain English, for there might have been some excuse had they only the French passages of which they did not give a translation. P. 60, "She united her devotion (as did also her numerous friends) with the holy sacrifice of the Mass, which was to be offered up by Alexander, Prince of Hohenlohe, *in the hope of obtaining immediately from* GOD that relief which no human means could bestow. And at the end of the same paragraph the archbishop describes this lady, after the cure, joining "in the solemn thanksgiving which was offered up TO GOD for this wonderful interposition of HIS goodness." In p. 61, the archbishop says, "this is the finger of GOD."

The next piece of evidence which those reviewers had before them, was the account of the cure of Miss Dowell, of Merrion Square, Dublin, commenced in p. 61, to omit several other passages; we shall take that which concludes the extract, and a considerable portion of which the Review has in italics, "her confidence in her strength, and in the permanence of her cure, was so great, that she insisted on going to public prayers to return thanks to HIM, of whom, '*if you ask anything in Jesus' name, he will give it to you.*'"

Now, we do not say that one of those cures was wrought—nor, if either of them took place, do we say that it was miraculous—nor do we say it took place through the instrumentality of Prince Hohenlohe; but we do state that none of the parties, whether prince, or prelate, or patient, appear to claim supernatural power for the prince; but they all seem to attribute the cures to God, through the prayers of the prince,—and it is dishonest to state otherwise, as the reviewers have done, especially when they had such palpable evidence in their fingers

We complain of the reviewers, also, upon the same ground for the following phraseology, p. 57, "the prince impostor's prescription." The reviewers may imagine it to be wit: we are humbly of opinion that it savours more of ungenteel language used without authority, to which a very significant name may be given in the dialect of the reviewers, p. 59, "curing all the diseased in Ireland by word of mouth." The phrase might be pretty for aught we know. We have an objection to it which will weigh little with writers who do not believe the accounts related in the Acts of the Apostles. The phrase is just as well calculated to bring ridicule upon the miracle of healing the lame man at the temple,—for it was "by word of mouth" Peter desired him to rise up in the name of Jesus of Nazareth and walk; and very probably our Scotch friend would have no objection to the full consequence. If so, we must consider his profession of attachment to his "national religion" to be a little hypocritical, unless, indeed, the national religion north of Tweed be infidelity; for this we have only the

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authority of the mighty despot of the literary world, the leviathan in the ocean of learning, who, in p. 59, calls it a "sceptical and anti-Catholic land." Another phrase is, p. 62, "the chief, *why not the chiefest?* conjuror at Bamberg performed his incantations;" and in that and p. 62, "but three females, in private circles, are said to have been benefited by the *hocus-pocus* work that went on." We object to this phraseology, not so much on account of its vulgarity, as on account of its deceptive construction. Let us view facts as they are,—let us even suppose the German prince to be a detected impostor, or a miserable and deluded enthusiast. We say he is no conjuror, he uses no incantations; therefore the words are unwarrantably used, unless prayer to God, through the merits of our Redeemer, be conjuring and incantations. We have known impostors who have prayed, or appeared to pray—and we have known impostors who have used deceitful language, with the intention of misleading, and we have detected and exposed them: we have also known deluded fanatics who imagined they had intercourse with heaven, and deluding infidels who scarcely knew or cared to know if there was a heaven; and we have beheld those fanatics and infidels run in opposite directions, each thinking he shunned the other, until, having gone over half the circumference of his sophism, each found himself locked in the embraces of the other, whom he desired to avoid.

We shall lay before our readers what *hocus-pocus* means, in the nomenclature of the Edinburgh Review. Three females were benefited, we are informed, by this *hocus-pocus*, of course, by following the prince's "prescription," as it is also styled. Now, we have that "prescription" in his letter to Miss O'Connor, p. 56 of the Review, the translation of which is, after advising her to pray as we before stated, and to prepare herself for the holy communion, "Excite in the bottom of your heart the divine virtue of true repentance, Christian charity, and unbounded faith of being heard; a firm resolution of leading an exemplary life, to the end that you may continue in the state of grace." To a writer who appears to find fault with persons having "an eager thirst for an intercourse with an higher world" than this which we inhabit, and which we must all so soon leave, this may indeed be *hocus-pocus*. But whether the cures took place or not, and whether, if they did, they were or were not miraculous, we think the advice was very good, and as unlike what a sick lady would probably receive from a conjuror, as what she would receive from one, who, whilst he violates truth, decency, and logic, aspires to be regarded as an honest man, a scholar, and a philosopher.

SECTION II.

Since writing what appeared in our last number, we have met with farther documents upon this subject. With their additional aid, we proceed to expose the dishonesty of the reviewers.

One of those pieces which we have seen, is the letter of Dr. Badelly, upon the case of Miss O'Connor, the Chelmsford nun. The reviewers say, page 57: "The whole matter in dispute depends upon the time at which the cure took place; and, supposing the doctor's observation to have been correct on the 2d, (which we can have little confidence in, after so strange a sample of his loose manner of reasoning,) there is no ground for ascribing the cure to the prayers, except the coincidence in point of time of the two events, and that coincidence rests on hearsay, and the hearsay that of a nunnery! The amendment may have been begun before the 2d, and made great progress during the week that followed; or, it may have been begun as late as the 5th or 6th, and gone on rapidly till the 11th. The fact of the cure '*immediately* succeeding' the prince-impostor's prescription, does *not*, therefore, rest on the doctor's personal attestation, but on the gossip of a convent parlour."

Here we must repeat our remarks, our object is not to prove that Miss O'Conner was miraculously cured, but to show that the Edinburgh review reasons badly, or is dishonest, or both.

The reviewer states that "The amendment (of which we think there is no question, for the cure is admitted to be a fact) may have begun before the 2d." If the writer were honest and careful, he could not have made such a supposition, because the evidence contradicts the hypothesis. In page 56, the reviewer himself admits that "Dr. Badelly saw the patient accidentally on the 2d, and found the hand and arm *as much swollen*, and *as bad* as he had ever seen them. The fingers, he says, were ready to burst, and the wrist was fifteen inches in circumference." It is clear, then, the gentlemen must give up either supposition, or the testimony of the doctor was a falsehood. The statement of Dr. Badelly, however, is supported by Surgeon Barlow, who informs us in his letter, "on the 2d of May,

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the hand and arm were *as large* as I had *ever* seen them." Mr. Barlow is stated to be "a skilful surgeon of the neighbourhood," who saw and attended Miss O'Connor on the 8th of December, 1820, and who continued his attendance: "M. Carpue, of Dean Street, whose skill and eminence are well known," was also called upon as a surgeon, on the 24th of December, 1820. After some months, "she was visited by Dr. Blount," after whose exertions, it is stated, "her hand and arm became as bad as ever." Dr. Badelly, Dr. Blount, Surgeons Barlow, and Carpue, we should take to be respectable professional gentlemen. The reviewers state of the first, that it becomes wholly impossible to pass over the statement, "when we see such narratives as the one before us, sent forth to the world under the sanction of a *respectable name*." We have, then, the testimony of the respectable doctor and the respectable surgeon, that on the 2d of May, they saw and examined the hand and arm, which hand was so closely inspected as to have been measured round the wrist, and which was of an enormous size, and as bad as ever. Therefore, it is not honesty in the reviewer, with this evidence before him, to insinuate that "the amendment may have been begun before the 2d," for on the 2d it *was as bad as ever;* and in this the doctor is supported by the surgeon.

The reviewers take another ground *of supposition*, against evidence. They insinuate, that because Doctor Badelly did not see Miss O'Connor again before the 11th, the amendment "may have been begun as late as the 5th or 6th, and gone on *rapidly* till the 11th." It certainly would have been *rapid* amendment for a hand and arm, the wrist of which measured so much, to have, in a week, come down to nearly its natural size and shape, especially when the Doctor informs us in his letter, now lying before us, and which the reviewers had before them, that in describing the treatment which it had previously undergone, he had not "specified every remedy, internally and externally, for they would occupy a volume. I have, however, related, I hope, sufficient to answer your purpose of proving the *inefficacy* of human efforts, during a whole year and a half of exemplary patience and perseverance in Miss O'Connor."

We do not deny this, notwithstanding, that it was natural such an hand and arm would begin to improve rapidly, on the 5th, and be well on the 11th. "Far be from us the profane thought" of differing with these wise men of Gotham, these learned Thebans. But we say they are equally unfortunate in their selection of the 5th and 6th, as they were of their *before* the 2d. Extract from Surgeon Barlow's letter: "On the 2d of May, 1822, the hand and arm were as large as I had ever seen them; but, to my utter astonishment, when I repeated my visit ON THE FIFTH of the same month, I beheld *the same hand and arm* reduced to almost their former size, the fingers had nearly recovered their proper motion. On the 7th, the whole appeared *perfectly restored*, and the patient was able to write with that hand which had been wholly useless for the space of eighteen months." What then is to be thought of men, who, with this testimony under their eyes, have misused it, and have had the hardihood to tell the world that "that amendment" might have begun *before* the 2d, or commenced *after* the 5th? If we believe the fact to have occurred, the testimony shows us that the amendment must have taken place either on the 3d or 4th.

Now, the prince stated that he would pray on the 3d, and Miss O'Connor performs, on the 3d, the exercises of devotion, which are called by our sages the "prince-impostor's prescription," and the surgeon, to his utter astonishment, finds her nearly well on the 5th, and perfectly well on the 7th, and Miss O'Connor and numbers of respectable persons state that the amendment took place on the 3d; and in relating the time and manner of the cure to the Doctor, on the 11th, she states that "Mass being *nearly* ended, Miss O'Connor not finding the immediate relief she expected, exclaimed, 'Thy will be done, O Lord; thou hast not thought me worthy of this cure." Almost immediately after, she felt an extraordinary sensation through the whole arm to the end of her fingers. *The pain* INSTANTLY *left her*, and the swelling gradually subsided." But, for all this, say the reviewers, we have but the hearsay testimony, and that with the gossip of a convent parlour. All this may do very well for little misses who have been reading pretty novels about convents, and cloisters and cells, and hoods and beads, and veils and prisons, and disciplines, and matins, and vigils—but, for philosophers!!! Until by some new discovery they change Surgeon Barlow into a nun, we have at least something more; we have his testimony. Until they can change the direct testimony of a religious lady of thirty years of age, who feelingly knew the difference between pain and blisters, and bleedings and scaldings, and medicine, and the unwieldiness of an useless limb, on the one hand, and the use of that limb and the absence of that pain, and the cessation of

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those blessings of the faculty on the other, until this can be evaporated into gossip, just as the brains of some metaphysicians are evaporated into foolish disquisitions, we have something more; for we have evidence that the cure took place on the 3d, from the testimony of Miss O'Connor and her associates, and others who saw her on the 3d; and we have proof from the surgeon, that it took place on the 3d or 4th, and Dr. Badelly had ocular demonstration that it took place after the 2d, and before the 11th, and good witnesses supplied the remaining proofs that it did take place "*immediately* succeeding" the use "of the prince-impostor's prescription;" and, therefore, our "northern lights" are either bad logicians, or dishonest writers, or both.

The next gross misrepresentation is a statement in page 59: "In pursuance of this plan, his truly serene highness appointed the 1st of August, at 7 o'clock, A. M., *for curing* ALL *the diseased in Ireland, by word of mouth.*" Any person reading this passage would be led to believe, 1st: That the prince had engaged upon a stated day to *cure* ALL the diseased persons *in Ireland;* and, 2d. That this cure was to be wrought by some expression of his own, *by word of mouth.* Now, we shall see that the reviewers had evidence before them: 1st. That whatever benefit was to be expected, was *not* to be extended to *all* the diseased persons *in Ireland.* 2d. That they had evidence that it was *not* to be expected only from the prince's *word of mouth.* They proceed in the same passage to state, "for he gave a general notice to *all the religious communities* of that island of saints, in order, that in each one a Mass might be performed at the same moment, in which he was working for *their* relief in Bamberg." In order to see the fallacy of the writers, our readers must recollect the difference between all the diseased persons *in Ireland,* and all the diseased persons *in the religious communities in Ireland.* The inhabitants in Ireland amount to *seven millions,* the members of the religious communities amount, perhaps, to *three hundred and fifty.* Thus we have the number on whose behalf the prayers were to be offered, reduced to about the twenty-thousandth part of the number exhibited by the reviewers; and of this they had the evidence under their eyes. The infirm in the religious communities were not promised that they should be "cured by word of mouth," nor *promised* that they should be cured in any way. He excited their hope, that, by the performance of some religious exercises, the Almighty Lord of creation might vouchsafe to restore them to health. He would pray in Bamberg, and they were to pray in Ireland.

The reviewers, still aiming at delusion, and willing to create the idea of *magic and incantation,* acknowledge in their very phraseology that they knew the cure was not by him promised to be effected by *word of mouth,* though their expressions are a sort of burlesque description of what they affect not to understand, "and as he is pleased, somewhat superfluously, we think to ask the co-operation of the persons prayed for." Thus they acknowledge that they knew he required the co-operating prayers of those for whom he prayed, and that they thought this request *superfluous.* But why, we ask, would they interfere with the prescription of this prince-impostor? Why not suffer him to prescribe as he may think proper? Why misrepresent his prescription?

They state again that they "can find no distinct accounts *except of three cases, and those* ALL OF FEMALES"—"Mrs. Stuart and Miss Lala"—they might have given her name correctly as they had it printed before their eyes, Miss Lalor; but there is a sort of mockery of witticism even in this affectation of mistake, as if such mighty men could not recollect such little names, or as if the whole transaction were so much beneath their notice that they could not even recollect the names—"and Miss Dowell." We cannot say that they have been made acquainted with any other cures. We have read of many more. But suppose there were *only three miracles wrought,* would they cease to be miracles because they were only three. Really we do not suppose those gentlemen will be content with the number until they become so numerous that they will cease to be miraculous. Now we would be, satisfied, so mean is our intellect, as to believe a miracle was a miracle, although there should be only one. But they were cases of *females.* Now in sober seriousness, we would ask, would a miracle be less miraculous because its subject was a female. For our part, we believe that Lazarus was raised from the dead; we believe this resuscitation was miraculous; and we must admit our weakness to be such that we would not believe the case to be less miraculous. if its subject had been Mary, the sister of Lazarus, *though she was a female.*

The next flagrant misrepresentation, is found in p. 60. Describing the testimony in the case of Mrs. Stuart, after having stated that "the priesthood took up the subject as a matter of course;" "that they entered stoutly into a theme which appeared so promising." Then mentioning that "the Roman Catholic Archbishop of Dublin led the

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way." This, by the bye, was, to say the least of it, *a mistake*, for it was the Bishop of Kildare and Leighlin that led the way, and the Archbishop only followed. "His grace," say they, "shall tell his own story, or rather the story of the convent of St. Joseph, Ranelagh; for he is not himself the witness, but only *the believer* and propagator of the tale, after what *he deemed a full investigation*. Of this we do not complain, but we do complain of the suppression of all allusion to the affidavits of a number of respectable and enlightened, and religious witnesses, whose testimony the archbishop did investigate, and after this suppression of what they saw the reviewers state to the public that his grace is but the propagator of a story, and what they would seemingly call the story of a convent.

Of Miss Dowell's case there is no sworn testimony, that we have seen, and more we believe has been published, but a statement of which no official notice has been taken, of which no verification has been given, has appeared. An extract from this is given, and between this statement and that of the archbishop's regarding Miss Stuart's case, there are those discriminating traits. In Miss Dowell's case no special testimony is adduced. In Mrs. Stuart's the special testimony of each witness is given separately. In Miss Dowell's case there is no affidavit. In Mrs. Stuart's case all the witnesses have been sworn by a Protestant magistrate. In Miss Dowell's case there is no official investigation. In Mrs. Stuart's case the archbishop officially examines the witnesses, and consults the clergy, and suffers a great many days to elapse, and proceeds then to a new examination and to a new consultation, and then gives a decision. In Miss Dowell's case there is no person appears to be responsible for the truth or falsehood of the statement. In Mrs. Stuart's case the archbishop of one of the most ancient sees in Europe; of one of the most polished cities in the world; a prelate respected by all classes for his integrity, good sense, meekness, prudence, and learning, comes forward, after having received and examined the depositions of nearly twenty respectable witnesses, after having cross-examined them himself, after having during a fortnight conversed with and seen the subject of the cure, whom he had previously seen and known in her state of debility. After having consulted nearly ninety respectable clergymen and others upon all the facts and circumstances. Such a man presents himself to the public to vouch for what he has seen and what he has examined and investigated, and takes upon himself the responsibility of the declaration. Yet the reviewers calmly tell us, p. 61, "The cure of Miss Dowell may be added to this; it happened on the 1st of September, and, though not related by the prelate, *rests exactly on the same kind of evidence* which made him adopt the current story, namely, *the reports of the family*." This we allege to be another misrepresentation. In page 61, the reviewers inform "that ALL *those instances* are of cures performed IN PRIVATE." The contrary is the fact. In Miss Lalor's case the cure is stated to have taken place in the public parish chapel of Maryborough, a considerable town, the capital of the Queen's County, an assizes town, before a number of persons indiscriminately collected together, and on the same day, it is stated that on her return home through the town, the doors and windows were crowded with persons looking at the subject of the cure. This is an extraordinary kind of privacy. In the case of Mrs. Stuart, the lady certainly remained in the convent, but was seen at the moment by a number of persons and subsequently visited by several hundreds of respectable persons of all religious persuasions. Two facts are publicly testified by a host of witnesses, that on the morning of the 1st of August, Mrs. Stuart was notoriously and publicly in a state of the utmost debility and languor, and next that before ten o'clock on the same morning, she was notoriously and publicly in full health and vigour. We say this is *not private*.

"And that no person of known credit has come forward to vouch for the particulars except as the repeater of hearsay reports." The Archbishop of Dublin and the Bishop of Kildare and Leighlin are, we should hope, "persons of known credit"—they are *not* merely the repeaters of hearsay reports, "but they are the official judges who have examined the depositions of the witnesses to the particulars, which depositions were taken before respectable Protestant magistrates; they are the judges who have conversed with the subjects and the witnesses. and who have then promulgated their official decisions. We know, upon inspecting the documents, that the depositions are made by highly respectable witnesses of known credit, who testify, that they saw and observed, and *not hearsay*. This too is a gross misrepresentation.

In page 63, it is assumed as a "fact that there was no miracles wrought in public by his highness the Reverend Prince." Yet if we are to believe the accounts which we have read from several parts of Europe, there have been many wrought in public. And the good gentleman would have some

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difficulty in persuading our readers that the prince, being in Bamberg, could hold "particular intercourse in corners with lady abbesses, sick nurses or spinsters, living in the bosom of zealous families in Ireland."

We are tired of the disgusting task, though we perceive a considerable portion of untruth and insincerity which we have not touched in the article. We did expect when we took it up to find some remarks worth our perusal, but we have been totally disappointed. We expected to find some ingenious, some interesting disquisition, but what have we found? A collection of garbled quotations, put forward as a true exhibition of the cure to be reviewed—the *suppressio veri* and the *suggestio falsi*, in their most glaring character. Miserable attempt at wit, to affect [that] argument was unnecessary. A gratuitous and unfounded charge of the worst species of imposition made against persons who occupy respectable stations in society. Men of excellent education, of unimpeached morality, of respectable connexions; men whose acts and declarations were susceptible of examination, but were not examined, and yet were condemned as "trickery," "incantation," "*hocus-pocus*," the work of "conjurors," "impostors," "fanatics"—"the dupes in some sort of their own artifices and uniting to a certain degree of enthusiasm with hypocrisy." And although not one particle of evidence has been adduced to support the assertion, we are told they are "stratagemata Prelatorum, quibus utuntur ad ambitionem propriam et lucrum."

We must unhesitatingly pronounce the whole review to be a tissue of misrepresentation unworthy of an honest man, and of sophistry worse than the worst of Mr. Hume's.

As to the facts themselves, or alleged miracles of the prince, we have not yet given our opinion. We must for this purpose examine two questions. 1st. Did the alleged facts take place? Should we find they did, the next question will be—2d. Are they miraculous?

We have been led to a very minute examination of the testimony by the remarks of the reviewer, but we cannot promise to continue our discussion in successive numbers, nor to close it speedily.

One remark we beg to make at present. Whatever the degree of evidence may be which would establish the affirmative of those two propositions, each member of the Roman Catholic Church is at full liberty to follow the impression of his own mind, and to be guided by his own judgment, because the question regards a matter of fact, not an article of faith. The doctrine of the Roman Catholic Church upon the subject, is very simple and plain, and may be expressed in a very few words—"God Almighty has as much power now as he has ever had, and therefore he may use the Prince Hohenlohe as an instrument to perform miracles, should he think proper, as he formerly used any of the Prophets or Apostles." We apprehend no rational person, who believes that God can use man as his instruments, will differ from our doctrinal propositions. But the next question is one of fact upon which good, honest, and religious men, may differ according to the different impressions which the same testimony may produce upon different minds.

There is one expression, indeed, which is very common, and which is thoughtlessly used—"The age of miracles has passed away." This may be true, and is in one sense—if it be meant to assert that miracles are not as common as they were in the days of the Apostles, no person will dispute the point. But if it be meant to assert, that God has not the same power now that he had then, of course, the expression is evidently incorrect. His power is the same at all times, and the same species and quantity of testimony which would at any former period establish evidences of the fact would be sufficient to establish it to day.

SECTION III.

We now commence to produce evidence of some singular *cures* having taken place. considered *miraculous* by many, but elegantly called *hocus-pocus* by the reviewers. We proceed to show, that they took place "in the glare of day, and under the pressure of a thousand adversaries." After the evidence of the facts, the next evidence we must have, must be that of their being the effects of *supernatural power*, before we can give a decided opinion.

PASTORAL LETTER

Of the Right Rev. Dr. Doyle, on the cure of Miss Mary Lalor.

To our well-beloved the Catholic Clergy, and people of the United Diocess of *Kildare* and *Leighlin*, health and benediction.

We announce to you, dearest brethren. with great joy, a splendid miracle. which the Almighty God hath wrought even in our own days, and at the present time, and in the midst of ourselves. We announce it to you with a heart filled with gratitude to Heaven, that you may unite with us in thanksgivings to "the Father of mercies, and God

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of all consolation," who consoles us in every tribulation, and who has even consoled us, by restoring miraculously, Miss Maria Lalor, to the perfect use of speech, of which, for six years and five months, she had been totally deprived! Our gracious God, "who causeth death and giveth life, who leadeth to hell, and bringeth back therefrom," has been graciously pleased to have regard to the prayers and faith of his servants—and, looking to the sacrifice of our altars, and to the merits of that blood which speaketh from them better than the blood of Abel, to loose by his own presence, and his own power, a tongue whose functions had been so long suspended. But we hasten, dearly beloved, to impart to you, as it is the duty and the privilege of our office to do, (Trid. ses. 25, decr. 2,) the particulars of this prodigious cure.

When, in last February, we had been engaged, according to the custom derived from our fathers, in preaching a part of the Lent at Mountrath, we were waited on by Mr. James Lalor, of Rosskelton, who stated to us that his daughter, then about eighteen years of age, had, for the last six years, been deprived of the use of speech, in consequence of a severe and protracted illness, which, at that period, had affected her—that he had recourse, in vain, to every medical and surgical aid within his reach, and had now no hopes of her cure, unless from the mercy and goodness of God. That having heard of the miracles lately wrought through the prayers and intercession of the Prince De Hohenlohe, he expected, that if his highness could be engaged to implore heaven on behalf of his child, that she might be restored to the use of speech—that, assured of our disposition to serve him, he applied to us, entreating we would state the matter to the prince, and request the intercession of his highness. Mr. Lalor was accompanied by the clergyman who usually attended his family, and who added some particulars noticed in our letter, marked in the appendix No. 1, and which, in compliance with Mr. Lalor's wish, we wrote in a few days after to the prince.

On the first day of the present month, we received the letters from Bamberg, marked Nos. 2 and 3, and immediately wrote (No. 4) to the Very Rev. N. O'Connor, Rector of the Parish of Maryborough, our rural dean in that district, and in whose vicinity Mr. Lalor resides. The letter of this Reverend clergyman, marked No. 5, gives a detailed account of the miracle as it occurred, and exhibits a prodigy, only different in kind, but not inferior in magnitude, to the raising of the dead to life. He, who at the gate of Naim, put his hand to the bier, raised the widow's son to life, and gave him to his mother, here spoke to the heart of a faithful servant, loosed the tongue which infirmity had paralyzed, and restored a happy daughter to the embraces of her parent. We ourselves have participated in their joy, on conversing as we have lately done, with this favoured child of heaven.

Exult then, dearly beloved brethren, and rejoice that Almighty God has thus visited you his people, reanimating your faith, enlivening your hope, and exalting your charity, consoling your sorrows, relieving your distress, and healing your infirmities, preparing in your sight a table against all who afflict you, and urging you, by these manifestations of his power and goodness, to rely upon his Providence, "whereas he has care of you."

Signs and wonders are not necessary at all times, nor in all places; yet they have never ceased in the church of God, because he is always in the midst of his people, and must fulfil his promise to them, "that whatever they ask the Father in his name, will be done for them;" but in our times it is meet that signs and wonders should, in some degree, revive, because error has pervaded the earth, and the very foundations of the faith have been assailed. Hence it is just, that the Lord should arise to judge, as it were, his own cause. Therefore it is that ourselves have beheld him, "reigning with a strong hand, and an outstretched arm, and with anger poured out," on one day chaining a persecutor to a rock, on another dissolving the league of infidels, or by prodigies compelling his very enemies to exclaim, "Surely the finger of God is here."

At this time, and in this place, it is worthy of his providence that the light of his countenance should be shed upon his faithful people. We have long experienced the truth of his prediction to those who were to walk in his footsteps, and carry after them their cross, namely, "that the world would rejoice, but that they would be sad;" and the present period has added sorrow to our sorrow, and pressure to our distress. Our religion is traduced—our rights are withheld—our good name is maligned—our best actions are misrepresented—crimes are imputed to us, against which our very nature revolts—our friends are silenced, and our enemies insult us, and glory in our humiliation. It is meet, therefore, and just, that he, for whose name and faith we suffer, should cast upon us a look of compassion, lest we faint in the way, or be overcome by temptation—that he should comfort his people, and renew to them, by visible signs, an as-

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surance that he watches over them—that a hair of their head will not perish, and that, possessing their souls in patience, they may expect his return, "to wipe away every tear from their cheek, and fill them with that joy which no one can take away from them."

To these and such like sentiments, we desire, dearest brethren in Christ, that you turn your attention, and having your hearts elated at this late event, that you renew your confidence in the Lord, so that "denying impiety and worldly desires, you may live soberly, piously, and justly in this world, expecting the blessed hope, and the coming of the glory of the great God, the Saviour Jesus Christ, who will reform the body of our humility, making it like in figure to the body of his own brightness."

Above all, we beseech you that you do not belie your pure faith by your evil deeds, nor glory in your name and your profession, to the prejudice of those who are not gifted like yourselves. If miracles belong to you, because you are of "the household of the faith," do not assume any pre-eminence over those less fortunate of your brethren, who have left their father's house, and gone into a strange country to dissipate his goods. Our God, the father of all, only sighs for their return, that he may meet them at their approach, clothe them from his wardrobe, and feast them at his table. You are his own children, and all his goods are yours, "if by good works you make your calling sure;" but you should pray unceasingly, that the son who had been lost, should return, that he who had died should be restored to life.

Before we conclude this, our brief address, dearly beloved, we shall avail ourselves of the occasion it affords us, to renew our admonitions to our good people of the diocess of Kildare, from whom we have but just returned, that remembering our charges to them, they may continue to exhibit, as they did, during our late visitation of their several parishes, those sentiments of Christian piety, of patience—those habits of industry, of a willing obedience to the law, of which we daily and hourly, while amongst them, received or witnessed the most convincing proof.

We speak not to those few incorrigible sinners, who, in defiance of the laws of God, and of the country, and regardless of our advice, continue to expose our good name to disgrace, our religion to obloquy, and the peaceable inhabitants of their own country to terror and taxation; but, we speak to you, dearly beloved, who compose almost the entire population of this ancient, and privileged, and always respectable diocess, and we implore of you, that you continue to cherish peace and patience, and to bear with injuries rather than inflict them. We have heard and we know that calumnies are poured out as from a full vial against you: but, let us hope, dearly beloved, that they are not wilful—that they want the malice of design!

In times when the minds of men are deeply anxious and strongly agitated, they cannot divest themselves of friendship and hatred, of fear and love; and when these passions prevail, they impart their own colours to the subjects of deliberation, and sway the [judgment] of the most enlightened men: we ourselves have our fears, which are groundless, and our antipathies which are ill-founded; we are often a prey to false alarms, and impute to others thoughts, which, perhaps, they never once conceived—yet, we overlook our own mistakes—we pardon our own errors, and why not, dearest brethren, mete to others as we would measure to ourselves? Is it not a rule of equity to do so? Is it not the law of the Gospel? Time will restore the dominion of truth—facts will disprove the strongest and the foulest imputations—patience will soften down the anger of our opponents—and charity will sweeten even the bitterness of their gall. They will yet blush at the injuries they have done us, and, finding no justification for themselves in your reproaches, they may yet relent, nay, they may forgive, and be numbered amongst your friends; but the storm of passion must be first allayed. Who has ever been converted till he ceased to hate? Who has ever repaired an injury whilst he was upbraided with injustice? Recall to your minds, dearest brethren, the situation of those whose proceedings you complain of, and see whether that "charity which thinketh not evil," may not excuse their errors, and palliate their faults! Have they not imbibed with their mother's milk prejudices which nothing but education, of which many of them are destitute, and a free intercourse of Catholics could remove?—The nurse told them you were a nation of idolaters, their pastors pointed you out to them as followers of Antichrist, their books of instruction represented you as the enemies of God, the laws proclaimed to them that you were disaffected, and the courts of justice not unfrequently announced it in judgment. When the law and prophets were thus perverted to condemn you—when, from the pulpit as in the nursery, you were denounced as heathens and publicans—when the titles of property, the pride of conquest and of ancestry,

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the laws of the empire, the maxims of the wise, and the conduct of all those placed in authority, proclaimed you as impious or disaffected, how could you be estimated as ordinary men? How could you be considered as religious Christians and faithful subjects? And if to these be added any infringement on the privileges of those who, from time immemorial, have been your masters—if men enslaved by the law were at once to be elevated to the rank of citizens, by a new and a too perfect kind of social compact, could the laws then always endure it? Could the master be seated with the servant, or the bondsman with the heir? And if these things have been and still are, dearest brethren, marvel not if the frame of society be disturbed, and if agitators be produced by every new occurrence to excite old prejudices, and inflame every angry passion.

But you will ask me, are we then to suffer in silence, and not vindicate our good name? Far from it brethren, you should uphold, by every lawful means, your own character, and promote your own interests. These interests are the interests of truth and justice, and they must advance.—The ways of their progress are obvious, and nothing can retard them but your own imprudence.

You have increased in property, in numbers, and in strength; these give you a moral weight which carries you forward with an accelerated motion. Education has arrived to a state of excellence amongst those of you who are blessed with the means of obtaining it, and is united with a pure and sound morality. These will illuminate, and enliven, and direct the movements of our body, that we may act in concert, dissipate prejudice, make our merits manifest, and attach to our cause the virtuous and the intelligent of every creed and class. The progress of our religion, which is such as to excite even our own surprise will, of itself, make known our principles, and refute every calumny—the piety and zeal of your priesthood, the appearance of your places of worship, the multitudes who frequent them, their pious demeanour, their strict integrity, their faithful attachment to the ever uniform creed of the saints—these, of themselves, will have, as they daily have, an insensible, but yet a powerful effect; but when aided by the exertions of your friends, and the violence of your enemies, joined to your own willing obedience to the law, were a balance to be found, they would compel them to exclaim, "How lovely are the tabernacles of Jacob, and the tents of Israel!" These are the lawful and efficient means of mitigating the evils you now endure, and a few of the grounds of your future hope. These will plead for you in a language which will speak to the understanding of the wise, to the interests of the legislators, and to the hearts of men. Supported on these pillars let your cause rest, and the errors and the tricks of state prejudices, selfishness, and odious privilege, will yield to its power, or seek its alliance. But do not, dearest brethren, justify intolerance by your imprudence; do not verify the imputations of calumny by deviating from your usual course; do not paralyze your own energies by dissensions, and enable your opponents to rivet your chains anew. A momentary cloud has overcast the legislature; a bad spirit has breathed on their councils. Some of those who lead in the senate have adopted a false maxim, others have unwisely exalted an unholy league over the king's subjects, and placed it perhaps too near the throne. These men will regret having cast away principle, or acted on a bad one, and the collective wisdom of the nation will yet penetrate this cloud which overhangs it, and by a new effort of its power and its justice, secure the throne, and fill with gladness the hearts of the people.

Our great interest for your welfare, dearest brethren, in these appalling times, has dictated these sentiments, and we deserve to be heard by you with attention. We are no hirelings "who feed ourselves, and leave the flock to starve;" we can "call you to witness, that we have not desired the silver, nor the gold, nor the clothes of any one of you." We have at an early period of our life, rejected the favours of the great, and fled even from the smiles of a court, that we might, in our native land, from which we had become an exile to procure an education, laboured in the most humble department of the sacred ministry; and since we have been amongst you, "we have not made our life more precious than our soul, provided we could finish our course, and the ministry of the word which has been transmitted to us from the Lord Jesus." We do not glory in these things, but we offer them as arguments of the purity of our intentions, and the sincerity of our love for you, inviting you by our example, as well as by our words, to suffer patiently for the sake of Christ, and to remain in allegiance to your king, as we ourselves have done, when imprisonment in a foreign country, and all manner of distress, as well as the most alluring prospects, tempted our fidelity. We conclude, dearest brethren, charging you in the words of St. Peter, that "ye be all of one mind, having compassion one for

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another, being lovers of the brotherhood; merciful, modest, humble; not rendering evil for evil, or railing for railing, but contrariwise, blessing; for unto this are you called that you may inherit a blessing; for he that will love life and see good days, let him refrain his tongue from evil, and his lips that they speak no guile; let him decline from evil and do good, let him seek after peace and follow it;" because the "eye of the Lord is upon the just, and his ears unto their prayers; but the countenance of the Lord is against them that do evil things; and who is he that can hurt you if you be zealous of good; but if also you suffer anything for justice sake, blessed are ye?"

We wish you the peace of God, dearest brethren, which surpasseth all understanding.

JAMES DOYLE, &c. &c.

Old Derrig, Carlow, June 22, 1823.

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No. 1.

DR. DOYLE'S LETTER TO PRINCE HOHENLOHE.

(*Translation.*)

"Carlow, March 6, 1823.

"MOST SERENE AND VERY REVEREND PRINCE:—The report of the wonderful works which, through the prayers of your highness, God hath wrought in the midst of his people, has reached even to us in Ireland, and especially of that by which the arm of a certain nun in England, afflicted with some miserable disease, had been instantly and miraculously cured, at the time when the most holy sacrifice of the Mass was offered to God for her by your highness.

"Whilst they, therefore, offer thanks to the Father of all mercies, who, in these lamentable times, has raised up your highness, by whom to give signs of salvation, and new proofs of the faith, both to the true believers, and to those who are without; we also presume to implore your prayers and charity on behalf of a young female of our diocess, whose father earnestly requested of us that we would commend her to your prayers, that she might be cured by God.

"But that your most serene highness may be fully acquainted with what regards this young female, we have thought it fit to make known to your highness the following statement communicated to us by her father, a respectable and pious Catholic.

"The daughter of this man, named Maria Lalor, was brought up piously to about her eleventh year, and educated as became a person of that age, was, after a long illness, which she bore patiently, deprived of the use of speech, so as from that period she could not utter even a single word. Nothing, indeed, which could be hoped from medical aid, had been left untried, during the six years which have since elapsed, that her tongue might again resume its functions; but every effort has proved vain, for neither has she yet articulated any sound, nor is she expected ever to do so, unless that God 'who maketh the tongues of the little ones eloquent,' will be induced, through the prayers of your highness, to vouchsafe that her tongue be restored to its former powers.

"It may not be irrelevant to state to your highness, that her organs of sense continue perfect, and that she strictly adheres to that piety of life which she had observed from her most tender age. She makes, at the usual times, her sacramental confession, by signs or writing to a priest, who has testified the same to us; she hears and receives with reverence his admonitions and advice; in a word, she so conducts herself in all things, as to appear to us, short-sighted, and unworthy as we, indeed are, to deserve, that your most serene highness would intercede with God for her.

"Whilst stating these things, I press with reverence the hands of your highness, and earnestly recommend to your prayers myself, an humble sinner, with the flock committed to my care. And remain, of your most serene and very reverend highness, the most obedient, and most humble servant in Christ.

"Br. JAMES DOYLE, O. S. A.,
"Bishop of Kildare and Leighlin.

"To his Most Serene and Very Rev. Highness, the Prince De Hohenlohe at Bamberg."

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No. 2.

(*Translation.*)

"MY LORD:—I hasten to forward to your lordship's address the enclosed letter from the Prince De Hohenlohe.

"I hope, my lord, that the good God will vouchsafe to grant to the prayers of the prince, and of the good M. Michael, the petition of those infirm persons who will unite in prayer with them.

"I beg your lordship's blessing, and that you accept the assurance of the profound respect with which I have the honour to be, my lord, your lordship's most humble servant,

"F. SAGATEN BROCK, Notary.

"Lossduinen, near the Hague in Holland, 9th May, 1823."

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No. 3.

(*Translation.*)

"To Miss Lalor, and all those who will spiritually unite in prayer.

"On the 10th of June, at nine o'clock, I will, agreeably to your request, offer my prayers for your recovery. Unite with them at the same time, after having confessed and received the holy communion, your own, together with that evangelical fervour, that full and entire confidence which we owe to our Redeemer Jesus Christ. Excite in the recesses of your heart the divine virtues of true contrition, of an unbounded confidence that you will be heard, and an immovable resolution of leading an exemplary life for the purpose of preserving yourself in a state of grace.

"Accept the assurance of my consideration.

"Huttenheim, the 9th May, 1823,
near Bamberg."

"His most serene highness recommends some devotion in honour of the most holy name of Jesus, and of St. John Nepomucen. Martin Michael, a truly religious man, united in friendship with the prince and with me, will join his prayers to those of his highness. To avoid the expense of postage, I shall send this letter by Holland. This instant we have received an account from Verdelain, diocess of Bordeaux, in France, stating with the utmost joy, that a young female, deprived of the use of speech for five years, had been restored to it in the church, on the day and hour appointed, namely, the 14th of March. 'May God grant increase and perseverance.'

"On the part of his most serene highness the prince.

"JAS. FORSTER, Parish Priest.

"To the Rt. Reverend, &c. &c. James Doyle, O. S. A., Bishop of Kildare and Leighlin, in Ireland, at Carlow."

SECTION IV.

FURTHER EVIDENCE REGARDING THE CURE OF MISS M. LALOR.

No. 4.

"Old Derrig, Carlow, June 1, 1823.

"VERY REVEREND DEAR SIR:—When in Mountrath, I wrote at the request of Mr. Lalor, of Rosskalton, to the Prince De Hohenlohe, soliciting his highness' prayers, that, through their efficacy with Almighty God, Mr. Lalor's daughter might be restored to the use of speech, of which she has, for some years, been deprived. On this day I heard in reply: and it is desired that Miss Lalor's pious friends do join her in a devotion in honour of the most holy name of Jesus, and in honour of St. John Nepomucen, for nine days preceding the tenth of June, on which day she is to confess, and to receive the holy communion at Mass, to be celebrated at the hour of nine o'clock, exciting in her soul, the holy virtues of true repentance, with an unbounded confidence in God, through the merits of our Blessed Redeemer, as well as a firm resolution of spending her life in obedience to his commands, and in a holy conformity to his divine will, all joined to a lively faith, and a disinterested love of the Lord.

"I write to you, that you may have the goodness to communicate the foregoing to Mr. Lalor and his daughter, that they and their friends may, on the days mentioned, or such of them as will not have elapsed, unite their prayers, with those of the prince and his friends, for the purpose of obtaining the mercy of God for her who is the object of our present solicitude.

"Your friends here will co-operate with you, and without publishing the matter too much, you can insure the prayers of many holy souls, and you know how 'they do violence to heaven.'

"The prince's secretary mentions that he had, at the moment he was writing, received an account of a cure, entirely similar to that which we hope for, performed in a village of the diocess of Bordeaux, through the prayers of his highness, and of those united with him.

"Yours most faithfully and affectionately in Christ,

"J. DOYLE.

"To the Very Rev. N. O'Conner,
"Maryborough.

"P. S.—As the meridian of Bamberg differs from that of Maryborough, by an hour and about twelve minutes, you can direct the Mass for Miss Lalor to be celebrated at a little before eight o'clock on the 10th of June."

No. 5.

"Maryborough, June 11, 1823.

MY LORD:—In compliance with your request, I send you a statement of the facts relative to Miss Lalor, which I have heard from others, and witnessed myself.

"I am now in the house where she was deprived of her speech. She is at present in the eighteenth year of her age; and as she is connected with most of the respectable

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Catholic families in this country, and has had frequent intercourse with them, her privation of speech during six years and five months is established beyond contradiction. Her hearing and understanding remained unimpaired, and she carried a tablet and pencil to write what she could not communicate by signs.

"Medical aid was tried by Dr. Ferris, of Athy, and Surgeon Smith, of Mountrath, but without effect. The latter gentleman, (as a similar case never occurred in the course of his practice,) resolved to have it submitted to the most eminent physicians in Dublin, eight of whom were consulted, and the result was, that no hopes could be entertained for her recovery. This decision was imparted by Dr. Smith to her father, apart from Mrs. and Miss Lalor; all which circumstances the doctor recollected on the 14th instant, when he saw Miss Lalor, heard her cure to be miraculous.

"You, my Lord, are already aware that, according to your directions, written to me on the 1st of June, I waited on Mr. Lalor, and communicated to him and to his family all that you desired. They observed it with exactness; and on the morning of the 10th instant, Miss Lalor having confessed to me by signs, and disposed her for receiving the holy communion, I read to her again from your lordship's letter, the directions of the prince, namely, that she would excite within her a sincere repentance, a firm resolution of obeying God's commands, a lively faith, and unbounded confidence in his mercy, an entire conformity to his holy will, and a disinterested love of him.

"I had previously requested the clergy of this district to offer up for Miss Lalor the holy sacrifice of the Mass, at twelve minutes before eight o'clock in the morning of the 10th, keeping the matter a secret from most others, as you had recommended; however, as it transpired somewhat, a considerable number collected in the chapel, when my two coadjutors, with myself began Mass at the hour appointed. I offered the holy sacrifice in the name of the church. I besought the Lord to overlook my own unworthiness and regard only Jesus Christ, the great High Priest and Victim, who offers himself in the Mass to his Eternal Father, for the living and the dead. I implored the Mother of God, of all the angels and saints, and particularly of St. John Nepomucen. I administered the sacrament to the young lady, at the usual time, when instantly she heard, as it were, a voice distinctly saying to her, "*Mary, you are well*"—when instantly she exclaimed, "*O Lord, am I!*" and, overwhelmed with devotion, fell prostrate on her face. She continued in this posture for a considerable time, whilst I hastened to conclude the Mass; but was interrupted in my thanksgiving immediately after, by the mother of the child pressing her to speak.

"When at length she was satisfied in pouring out her soul to the Lord, she took her mother by the hand, and said to her, 'dear mother,' upon which Mrs. Lalor called the clerk and sent for me, as I had retired to avoid the interruption, and on coming to where the young lady was, I found her speaking in an agreeable, clear, and distinct voice, such as neither she nor her mother could recognise as her own.

"As she returned home in the afternoon the doors and windows in the street through which she passed were crowded with persons, gazing with wonder at this monument of the power and goodness of Almighty God.

"Thus, my lord, in obedience to your commands, I have given you a simple statement of facts, without adding to or distorting what I have seen and heard, the truth of which their very notoriety places beyond all doubt, and which numberless witnesses as well as myself could attest by the most solemn appeal to heaven. I cannot forbear remarking to your lordship how our Lord confirms now the doctrine of his church, and his own presence upon our altars, by the same miracles to which he referred the disciples of John, saying, "Go tell John the dumb speaks," &c., as a proof that he was the son of God who came to save the world.

"I remain your lordship's dutiful and affectionate servant in Christ.

"N. O'Conner.

"To the Right Rev. Dr. Doyle,
"Old Derrig, Carlowe."

—

Queens County, to wit:

Miss Maria Lalor, of Cromogue, near Rosskelton, came before me, one of his majesty's justices of the peace for said county, and made oath on the Holy Evangelists that she was totally deprived of speech during the space of more than six years previous to the 10th of June, 1823; on that day she confessed by signs, went to Mass, and received the blessed sacrament; that after communion she heard a voice distinctly say, "Mary, you are well;" that she found immediately her powers of speech restored, which continued ever since without interruption, and further saith, that she has been in no collusion whatever, with any person; nor has she, the deponent, used any human means, at the time of her recovery, for the restoration of her speech, but the prayers of

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Prince Hohenlohe, and the other pious persons who joined him therein; and that she, the deponent, is quite convinced that she has received this favour from God, through no other means.

Sworn before me, this twenty-first day of July, 1828, at deponent's request.

JAMES EDMOND SCOTT.

SECTION V.

PASTORAL LETTER

Of the Most Reverend Dr. Murray, on the Cure of Mary Stuart.

To the Roman Catholic Clergy and Laity of the Diocess of Dublin.

BELOVED BRETHREN IN CHRIST JESUS:—A delightful duty has devolved upon us; it is "To reveal and to confess the works of God." (Tob. xii. 7.) With a heart at once struck with awe, and inflamed with gratitude to the "God of all consolation," we proclaim to you a new and wonderful manifestation of his goodness, which we have just had the happiness to witness. Mary Stuart, of the Convent of St. Joseph, Ranelagh, has, through the extraordinary interposition of that Omnipotent Being, who "killeth and maketh alive," (1 Kings, ii. 6,) been restored instantaneously to health, from a state of grievous and hopeless infirmity, for the relief of which, all the resources of human skill had been expended in vain.

The account of this wonderful cure reached us officially, on the 2d inst., in a letter from Mrs. Mary Catherine Meade, Prioress of St. Joseph's Convent, under date of the preceding evening. This communication stated in substance, that one of the religious sisters of that community, by name Mary Stuart, had been afflicted with sickness for four years and about seven months; that, during that period, she had frequent attacks of paralysis, each of which seemed to threaten her with immediate dissolution; that the most powerful remedies had been applied, without producing any other than partial and temporary relief; that for several months past she had been confined to her bed, wholly deprived of the power of assisting herself, or of moving out of the position in which she was laid; that, when moved by her attendants, how gently soever, she not only suffered much pain, but was also liable to considerable danger, and to the temporary loss of speech; and that, for the last five weeks, she had entirely lost the power of articulation; that, up to the morning of the 1st instant, she continued in this deplorable state, without any symptom of amendment, and apparently beyond the reach of human aid; that, on a certain hour that morning, as had been settled by previous arrangement, she united her devotions, (as did also her numerous friends,) with the holy sacrifice of the Mass, which was to be offered by Alexander, Prince of Hohenlohe, in the hopes of obtaining immediately from God that relief, which no human means could afford; that, with this view, she received, though with much difficulty, the divine communion at the Mass, which was celebrated at the same hour in her chamber for her recovery; that, Mass being ended, and no cure as yet effected, she was in the act of resigning herself, with perfect submission, to the will of God, when instantly she felt a power of movement and capability of speech; that she exclaimed, with an animated voice, "Holy, holy, holy, Lord God of Hosts!" raised herself without assistance, to offer, on bended knees, the tribute of her gratitude to Heaven; called for her attire, left that bed to which she had been for so many months, as it were, fastened, and walked to the convent chapel, with a firm step, and there, in the presence of the community and congregation, joined her sisters in the solemn thanksgiving which was offered up to God, for this wonderful and manifest interposition of his goodness.

As soon as this statement reached us, we felt it a sacred duty to examine the grounds on which it was made, that, if it originated in mistake, we might endeavour to dispel the delusion; but, if founded on fact, we might proclaim the glory of God. We hastened, therefore, to the spot, to investigate the circumstances of this astonishing cure. We found the late invalid seated in her parlour, surrounded by her friends; she rose, she knelt, she resumed her seat, she detailed the history of her sufferings, and her cure, as they have been just related, and as they will be found in her sworn attestation, which we subjoin, (No. 6.) Her companions and attendants, who had assisted her in her infirmity, and watched so long over her bed of languishing, confirmed this account in all its details, with a degree of candour and simplicity, which could not fail, even then, to produce on our mind the clearest conviction that the restoration of the said Mary Stuart to the state of health in which we saw her, was beyond the reach of human power.

Still, aware of the great responsibility which we should incur by pledging ourselves to you, beloved brethren, and to the world, for the existence of a fact so truly wonderful, we paused before we should give public utterance to our private conviction

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on so important a subject. We returned to the convent, after an interval of several days; we subjected all the circumstances of this extraordinary case to a new and rigid inquiry; we collected information on the spot, from every source within our reach; we weighed it in the presence of the God of Truth; we called in to our aid the wisdom and intelligence of our reverend brethren, the Roman Catholic clergy of this city, and we have the consolation of knowing that our judgment is supported by their unanimous opinion, when we declare, as we do hereby declare, on what appears to us the most unquestionable evidence, that the cure which was affected in the person of the said Mary Stuart, on the first of August instant, is the effect of a supernatural agency, an effect which we cannot contemplate without feeling, in our inmost soul, an irresistible conviction, "that this is the finger of God." (Exod. viii. 19.)

The body of evidence which we subjoin, is, we trust, abundantly sufficient to carry the same conviction to every mind which is not obstinately closed against the truth.

We do not, however, expect, that this new and splendid wonder of the divine goodness, clothed as it is with such a mass of evidence, will awe into silence the cavils of the sceptic. The miracles of our blessed Redeemer himself were contradicted, and "the servant is not greater than his Lord." Incredulity may seek to cast the veil of doubt over the glory, which redounds to God and His church from the exercise of miraculous powers; but the true believer will find therein a copious subject of consolation; a new link to bind him, if possible, more closely to His divinely attested religion; a new proof of the ever watchful care of God over us, a new motive to walk with reverence in the awful presence of Him who works such wonders in the midst of us, a new incentive to address this gracious Being in every want with unbounded confidence, and to pour out before Him the warmest homage of His gratitude and love.

Our divine Saviour has vouchsafed to say, "He that believeth in me, the works that I do, he also shall do, and greater than these shall he do; because I go to the Father; and whatsoever you shall ask the Father in my name, that will I do, that the Father may be glorified in the Son." (John, xiv. 12, &c.)

This promise was not confined to any age or to any country. It displayed its effects in a more eminent degree, when he wished to stamp conspicuously on His infant church the attestation of its divine origin. The sick, who were placed in the shadow of St. Peter, were cured as the Apostle passed along. (Acts v. 15.) The handkerchiefs which had touched the body of St. Paul were applied to the sick, and "the diseases departed from them, and the wicked spirits went out of them." (Acts xix. 12.) And it was then a matter quite of ordinary occurrence, that even the new converts should prophecy and work miracles. (1 Cor. xii. 7.) When the little grain of mustard seed struck its roots deeply into the soul, and grew up into a tree which spread its branches over the earth, it no longer stood in constant need of the same external and extraordinary means for its preservation. Accordingly, the exercise of miraculous powers became less frequent in the church: but that it was not uncommon even in the beginning of the third century, we learn from the well-known challenge which Tertullian, in his Apologetic, then gave the heathens; whereby he pledged himself to them, that, if they would bring a demoniac into open court, any Christian who should be called upon, would force the unclean spirit to proclaim aloud its own wickedness. At a later period these miraculous powers became more rare, but they never wholly ceased. The great St. Ambrose is an unquestionable voucher for the miracles which were wrought at Milan, in 386, on the finding of the relics of St. Gervasius and Protasius. To several of these miracles the whole city could bear witness, particularly to the cure of the blind man Serverus, who was restored to sight by the application of a handkerchief to his eyes, after it had touched the bier wherein the relics were borne in procession.

St. Augustin, in like manner, relates several others of which he was witness in Hippo, in the year 425. He informs us, (in the twenty-second book, eighth chapter of the City of God) that on the Easter-Sunday of that year, a youth, named Paul, praying to God before the shrine of St. Stephen, was miraculously cured. The church echoed with the exclamation of the people, "thanks be to God, praised be the Lord!" St. Augustin, pointing the attention of his crowded audience to this living evidence of God's miraculous interposition, exclaimed, "We have been used to hear the relation of miracles, which God has performed by the blessed martyr St. Stephen; but now, the presence of this young man supplies the place of a book, nor have we occasion for any other writing than his face, which you all know." On the following Tuesday, while the holy bishop was preaching on a subject connected with this cure, his discourse was interrupted by renewed excla-

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mations of "thanks be to God." In fact, a new miracle had filled the audience with wonder and gratitude; for the sister of Paul, by name Palladia, whom they had seen but a moment before in a state of the most deplorable infirmity, had prostrated herself, in prayer, before the shrine of St. Stephen, and had arisen in the presence of the astonished multitude in the vigour of health. Facts of this nature, bearing on them the unequivocal marks of truth, are found in every age of the church, down to the days of that favoured servant of God, the Prince of Hohenlohe.

Let no one, in the face of those facts, and in contradiction to the clear Word of God, oppose to us the idle objection that man cannot suspend or alter thus the laws established by the Creator. It is not man that by his own power, works these prodigies; it is the great Creator himself, who can suspend at pleasure, for his own gracious purposes, the operation of those laws which he freely established. It is not man that wrests the perishing victim from the very arms of death, and infuses life and vigour into his decayed and paralyzed frame; it is the great Lord of Life himself, who is moved through Christ, by the supplications of his servants, to put forth his mighty arm, and glorify himself by the manifestation of his mercy, his goodness, and his power. "Ye men of Israel," said St. Peter, after the miraculous cure of the lame man at the gate of the temple, "why wonder ye at this? Or why look you upon us, as if by our strength or power we had made this man to walk; the the God of our fathers hath glorified his son Jesus; and his name, through the faith of his name, hath made this man strong, whom you have seen and known; and the faith which is by him, hath given this perfect soundness in sight of you all." (Acts, iii. 1, 2, &c.) Yes, it is the mighty Lord of heaven and earth, "who alone doth wonderful things;" (Ps. lxxi. 18), and whatever share any human power may seem to have in the performance of his wonders, the lowly instrument of his goodness should be ever ready to exclaim, "O Lord, not to us, but to thy name give glory." (Ps. cxiii. 1.)

What may be the views of God in the recent prodigies, which are now the admiration of Europe, and one of which has just occurred under our own eyes, it is not for us to determine. We may, however, safely conjecture, that this gracious God has some object beyond the mere addition of a few miserable years to the life of a favoured individual. When our blessed Redeemer raised his friend Lazarus from the grave, he did so to publish "the glory of God." (John, xi. 40.) He did so to confirm the faith of his disciple. "Lazarus," saith he, "is dead, and I am glad for your sake that I was not there, that you may believe." (John, xi. 13, &c.) Since then, the same blessed Redeemer now makes the unbloody sacrifice of his body and blood, the visible means of calling back to life and health the victim that was ready to descend into the grave, is it unreasonable to suppose that he does so, in his mercy, for some general and exalted purpose? To awake, for instance, our slumbering piety, and animate the faithful throughout his church, to fly with more confidence, more reverence, more love, to those holy altars on which the living victim of salvation is working such wonders?

Perhaps, too, this may be among the means of mercy, whereby he wishes to effect the gracious purpose mentioned in his Gospel. "Other sheep I have, that are not of this fold; them also I must bring, and they shall hear my voice, and they shall be one fold and one shepherd." (John x. 16.) Perhaps the voice of these facts, issuing from the bosom of his sanctuary, and publishing the glory of God with the loudness of thunder, may strike upon the ears and hearts of many to whom the voice of the ministry could not reach. Who knows how many of our dear brethren, who are wandering from this "one fold," may be thus conducted back to venerate that holy Mass, on which the hand of omnipotence has impressed, in such effulgent characters, the attestation of its sanctity.

Whatever be his gracious purposes in our regard, let us pray that they be accomplished in us to their utmost extent. May every soul to which the knowledge of his wonderous mercies reaches, send up the offering of its purest love and adoration to his throne, and every tongue repeat with holy rapture, "to the King of ages, immortal, invisible, the only God, be honour and glory for ever and ever." (1 Tim. i. 17.)

"Peace be to you, brethren, and charity with faith from God the Father and our Lord Jesus Christ." (Ephes. vi. 23.) Amen.

DANIEL MURRAY, D. D. &c.

Dublin, August 15, 1823.

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TESTIMONIALS.

No. 1.

August 6, 1823.

During the last three years, I paid numerous visits to Mrs. Stuart, Convent Ranelagh.

Her complaint was generally of an apoplectic tendency; the attacks were frequent, and sometimes were followed by paralysis of

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the lower extremities, and sometimes of the upper; the sight was occasionally impaired, blindness once occurred, and continued for several hours; the voice often became faint, and within the last two years, the power of articulation was often lost for many hours, or for two or more days; these symptoms were repeatedly removed by the usually approved remedies, and to prevent their recurrence, issues were successively established in the crown of the head, in the nape of the neck, and in the left arm; the digestive organs were frequently much disturbed, and were as frequently restored to their healthy actions, by the use of appropriate remedies; palpitations and weakness were not unfrequent.

During the last ten months, Mrs. Stuart's state of health gradually declined, and for the last half year she was confined to bed in consequence of weakness of the lower extremities. In June, the voice became weaker than usual, and while sitting up in bed, and bending the head forwards, an uneasy sensation was felt in the pit of the stomach, and the power of articulation was lost; after every effort, the inability to speak lasted for one, two, or several hours, perhaps for a day.

About the middle of July, I saw Mrs. Stuart, when I was informed she had not spoken for three weeks. On the 31st of this month I was called to see Mrs. Stuart, and at this, and the former visit, she replied to my questions by signs. On the 1st of August, I was again called to the convent, when Mrs. Stuart walk forward to receive me, and spoke in her usual manner.

THOMAS MILLS, M. D.

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No. 2.

Dublin, August 4, 1823.

Prior to the date I have had only one opportunity of seeing Mrs. Stuart, namely, in the Convent Ranelagh, on the 17th June last, in consultation with Dr. Mills; Mr. Madden, apothecary to the convent, being present.

Mrs. Stuart was then in bed, apparently exhausted, but not much emaciated; she was feverish and her stomach and bowels were irritable and weak; these symptoms were of recent occurrence, but I was informed that she had long been an ailing person, having laboured under determination of blood to the head; various nervous affections of an anomalous kind, such as temporary loss of vision, speech, and muscular power; she had also been affected with palpitations and faintings; the affection of the head, I was told, had been very frequently relieved by large blood lettings, blisterings, issues, &c.

Mrs. Stuart appeared very weak, particularly in the lower extremities, at the period of my visit; however, she possessed the power of articulation, and her sight was unimpaired.

J. CHEYNE, M. D.

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No. 3.

York Street, August 5, 1823.

I visited Mrs. Stuart, of Ranelagh Convent, in consultation with Dr. Mills and other medical gentlemen, about two years since, if my recollection serves me, (for I did not take notes of her case;) the most distressing symptom of which she then complained, was a severe pain in her head, for the relief of which it was determined, among other remedies, to put an issue in the scalp, until the establishing of which, I then saw her occasionally with Dr. Mills.

Being in attendence upon a young lady in the convent, on Thursday, the 31st of July, I was requested to see Mrs. Stuart; I found her in bed, with her pulse quick, and her countenance pale; I was informed that she had lost her voice—that she suffered from severe pain in the head—that she was unable to assist herself in bed—that she had palpitations of the heart, and that she was subject to fainting fits, which latter were worse at night. She recognised me on coming into the room, and seemed to understand the questions I asked at her bed side, as she replied to them by signs, which her sister interpreted.

I saw Mrs. Stuart again on Saturday, the 2d of August, about two o'clock in the day; she was sitting in the parlour of the convent; she said, that she experienced no inconvenience, except what arose from emaciation, and that the symptoms under which she had laboured had entirely disappeared. Her condition on this day so nearly corresponds with the general certificate, that I beg leave to refer to it for the remainder of my information upon this subject.

(Signed) ROWDON M'NAMARA.

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No. 4.

Dublin, August 6, 1823.

In reference to the statements Nos. 1, 2, and 3, herewith sent, we, the undersigned, have now to add, that we met by the appointment of the Rev. Mr. Stuart and the Rev. Mr. L'Estrange, of Clarendon Street, at the convent in Ranelagh, on Monday, August 4th, 1823, to examine into the state of

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Mrs. Stuart's health, and we have to report that that lady assured us she was without complaint. She informed us that she had not yet walked in the grounds of the convent, owing to a degree of weakness of her limbs, of which, to us, she appeared to have the free use: she spoke to us articulately, and possessed all the powers of distinct vision—her pulse was 120. Of four issues which had long been established, three might be considered as healing, being without dressing, namely, that in the crown of the head, and those in the nape of the neck; the issue in the left arm was open and freely discharging, having made no progress in healing; on Friday the first of August, the peas, we understood, were removed from all the issues.

J. Mills, M. D.
J. Chayne, M. D.
R. M'Namara.

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No. 5.

James's Street, August 8, 1823.

I have occasionally visited Mrs. Stuart, at Ranelagh Convent, for two months, during which time she was threatened with apoplexy, and had partial loss of sight, and paralysis of the lower extremities: for the last ten months she was confined to bed, six months of which time she had temporary loss of speech, for the cure of which I have often been called upon to open the temporal artery and take blood from the arm; I have seen her several times since that period. On the 31st July, I saw her with Dr. Mills; during that visit and the former, she made signs where her pain was, which her sister interpreted. I again saw her on the 1st instant, when she walked and spoke distinctly.

Wm. Madden, Apothecary.

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SECTION VI.

IRELAND—FURTHER EVIDENCE REGARDING THE CURE OF MRS. MARY STUART.

No. 6.

Affidavit of Mary Stuart, a Religieuse of Ranelagh Convent.

County of Dublin, to wit:

Mary Stuart, of Ranelagh Convent, in the said county, aged twenty-six, or thereabouts, came before me, one of his majesty's justices of the peace for said county, and made oath on the Holy Evangelists, and saith, that in the month of January, 1819, she was attacked by typhus fever, as she was informed and believes, which continued up to the 10th of March following, on the night of which day, and while this deponent was in a state of convalescence, the chapel of the convent having been consumed by an accidental fire, deponent was so alarmed, that she took refuge in an adjoining field, being long after midnight, and from the damp of the grass, as this deponent was informed and believes, she, this deponent, contracted the disease under which she has been languishing for more than four years. That the principal symptoms of her complaint were stagnations at night, which were repeated five or six times for the space of four hours, which produced a total suspension of all faculties, and sometimes occurred even when this deponent was perfectly awake; that there were very few weeks in the entire period of her illness in which she was free from these attacks; that she had occasionally experienced a temporary suspension of the faculty of speech; that since the 6th January, 1823, the loss of speech occurred whenever she was raised in the bed, in consequence of which, repeated blisterings and bleedings were resorted to, in order to obtain temporary relief; that on the 27th day of June last, she, this deponent, lost all faculty of speech, which could not be restored by the most powerful remedies that were applied; that since the month of September, 1822, this deponent had been confined to bed; and from the month of January, 1823, up to the first day of August, 1823, she had been unable to turn in the bed without the assistance of two persons; and during her illness she had been repeatedly bled in the arms and temples, and leeches had been applied to the head, in one or two instances up to the nose, and, so great was the tendency of blood to the head, that on one occasion the temporal artery burst, although it had not been opened for some weeks; that blisters, in a considerable number were applied, and since the 6th day of January, 1820, this deponent had an issue on the top of the head, containing, as she was informed, and believes, thirty peas—after which, two other issues were made in the nape of her neck, and one in her left arm, containing five kidney beans; that during the entire period of her illness she has taken no remedies but such as were ordered by the physicians; that she attributes her instantaneous recovery to the supernatural interference of the Divine Power, through the intercession of the Prince Hohenlohe. This deponent saith, that having understood the prince had appointed the first day of August instant as a day on which all those who wished to ap-

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ply to the Almighty for relief, should join him in prayer; she, this deponent, endeavoured to dispose herself to have supplications offered up for her; that having fulfilled the conditions generally prescribed by the prince, and prepared herself by a sacramental confession (which she was only able to make by signs), to receive the most adorable Eucharist, the Rev. Mr. Meagher offered the divine sacrifice of the Mass in her chamber, at which her sister, Anne Stuart, and two other religieuse of said convent, and the attendant of this deponent, assisted. That this deponent was accompanied by her brother, the Rev. Mr. Stuart, during the devotions previous to the Mass; after which, as deponent was informed and believes, he went to offer up for her Mass in the chapel of the convent; that this deponent could not receive the blessed Eucharist but as a viaticum, and that, when receiving it, she could not project her tongue beyond the teeth; that at the conclusion of the Mass, this deponent continued in the same helpless state as hereinbefore described, and when addressed by her sister, the said Anne Stuart, as to how she felt, this deponent was unable to give any signs of recovery; that in perceiving no alteration in herself, she was mentally making an act of resignation to the divine will, and invoking the holy name of "Jesus," when she suddenly perceived she had strength to utter some words, and immediately exclaimed, "Holy, holy, holy Lord God of hosts, the heavens and the earth are full of thy glory;" and then, without any assistance from any person, raised herself in the bed, and knelt erect, and then prostrated herself to adore the goodness of God; that having immediately dressed herself, she walked down to the chapel to give public thanks to the Almighty; that since that time she has not experienced the least symptoms of her disease; that from the issues above described, she has experienced no inconvenience whatever, notwithstanding that no application for healing has been resorted to, and that said issues are now entirely healed.

MARY STUART.

Sworn before me this 15th day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

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No. 7.

Affidavit of Anne Stuart, a Religieuse of Ranelagh Convent.

County of Dublin, to wit:

Anne Stuart, of Ranelagh Convent, in the county of Dublin, aged 29 years, or thereabouts, came before me, one of his majesty's justices of the peace for the county, and made oath on the Holy Evangelists, and saith, that her sister, Mary Stuart, of said convent, on or about the 15th day of January, in the year of our Lord, 1819, suffered under a typhus fever, as deponent heard and believes; immediately after which, she was afflicted with a grievous malady, under which she continued to suffer up to the first day of August, 1823; that during said period she had frequently been deprived of the use of her limbs, and had never been free from excessive pain in the head, such as most generally to cause extreme torture; that she had been deprived of all faculties so often as six or seven times in the night, which caused constant apprehension of her death; saith, that from these attacks she had never been free for more than a week or two, and that but very seldom; that since January, 1823, she had experienced a loss of speech, particularly when raised in the bed; that this suspension sometimes continued for a week or more, during which period very weak articulate sounds alone could be perceived; that from these attacks she experienced temporary relief by repeated blisterings and bleedings; saith, that on the 27th of June, 1823, she lost all power of speech, during which period the most severe remedies, as before, were applied without the least effect; that this privation continued up to the hour of half-past seven o'clock, or thereabouts, of the morning of the first of August, 1823; saith, that since the sixth day of January, 1820, she had an issue in the top of the head, containing thirty garden peas enveloped in blistering ointment, and frequently orange peas, in consequence of a consultation held at that time, of Doctors Mills, Percival, and Hagan, and Surgeons Macnamara and Macklin; that at two or three periods an application of tartaric antimonial ointment was ordered and applied, for the purpose of producing vesication; that she had not been able to turn in bed without the assistance of two persons, from the 6th day of January, 1823, to the morning of the first day of August, 1823, on which morning deponent was present in her sister's chamber between the hours of seven and eight o'clock, and up to which time she continued in the same state of privation of speech, inability to make any effort whatsoever to assist or turn herself in the bed, and manifested the same general symptoms as described above; that the holy sacrifice of the Mass was offered for her recovery on said last mentioned morn-

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ing, and at the hour aforesaid, by the Rev. Mr. Meagher, her director in her chamber, at which this deponent, two other religieuses of said convent, and the attendant of said Mary Stuart, assisted. This deponent saith, that this deponent's brother, the Rev. Mr. Stuart, assisted at the devotions previous to the celebration of Mass,—and, as this deponent was informed, and verily believes, he proceeded to celebrate Mass for the said Mary Stuart in the convent chapel; that the blessed Sacrament was, during the Mass, duly administered to the said Mary Stuart; and after Mass said deponent spoke to said Mary Stuart, and found her in the state before described; that, in about a minute after, she heard the said Mary Stuart utter distinctly the words, "Holy, holy, holy Lord God," and other words, which this deponent cannot particularly recollect. This deponent saith she saw the said Mary Stuart immediately kneel in the bed, without assistance from any individual whatever, or otherwise; that the said Mary Stuart immediately afterwards walked down to the chapel, accompanied by the Rev. Messrs. Meagher and Stuart, and followed by this deponent and a number of the religieuses of said convent; and this deponent saith, she saw the said Mary Stuart on her knees before the altar, in the attitude of returning thanks to Almighty God for the favour conferred on her: that since that moment said Mary Stuart has manifested no return of any of the symptoms of the diseases by which she was heretofore afflicted. This deponent further saith, that she was in constant attendance on said Mary Stuart during the entire time of her illness; and during that period no remedies of any kind whatever were administered, but such as were prescribed by the physician in attendance.

ANNE STUART.

Sworn before me, this 15th day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

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No. 8.

Affidavit of Catherine Hosey.

County of Dublin, to wit:

Catherine Hosey, of Ranelagh Convent, in the said county of Dublin, aged 25 years, or thereabouts, came before me, one of his majesty's justices of the peace for said county, and made oath on the Holy Evangelists, and saith, that she knows Mary Stuart, of said convent, since March, 1820, and has been her constant attendant day and night, since the month of July in said year; from which period, up to the first day of August, 1822, said Mary Stuart laboured under a grievous illness; and saw her frequently during said period deprived of the use of all her faculties, which continued for a considerable time, inasmuch as to make deponent apprehensive of her immediate death. Saith that these attacks have occurred sometimes so often as six times in the night, and that she has never been more than a fortnight at a time without these attacks, and that during the entire period, there had been very few weeks she had been free from them. Saith that very severe remedies had been applied in consequence of these attacks, and that leeches had been applied once or twice up the nose. This deponent saith, she saw said Mary Stuart when the temporal artery burst, and thought she would bleed to death. Saith said Mary Stuart suffered more or less in the sight, and that her speech was frequently suspended for some time, and that by merely raising her in the bed, said Mary Stuart would lose her speech for some days. Saith, that Mary Stuart lost all power of speech for four or five weeks previous to the first day of August, instant; and this deponent could perceive no kind of articulate sound during that period whereby she could understand her wishes. Saith she saw said Mary Stuart immediately before Mass was offered on the morning of the first of August, instant, and that she still continued in as helpless a state as deponent herein before described her. Deponent saith she, this deponent, assisted during the entire time of the celebration of the Mass, and that no remedies of any kind were administered to said Mary Stuart during it. Saith that a short time after the Mass deponent heard said Mary Stuart distinctly utter the words, "Holy, holy, holy," and other words which deponent doth not now recollect, and saw her immediately raise herself in the bed, without any assistance; and after remaining erect for some time, prostrate herself. Saith that she heard said Mary Stuart call for her clothes in a strong voice such as she had never heard her utter before.

her
CATHERINE ⋈ HOSEY,
mark.

Sworn before me, this 15th day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

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No. 9.

Affidavit of Margaret Dillon, a Religieuse of Ranelagh Convent.

County of Dublin, to wit:

Margaret Dillon, of Ranelagh Convent, in the said county, aged sixty-eight years, or thereabouts, came before me, one of his majesty's justices of the peace for the said county, and made oath on the Holy Evangelists, and saith, that she knows Mary Stuart, of said convent, since the month of June, 1816, and saith, said Mary Stuart has been confined with a serious illness since January, 1819, during which time this deponent visited her every day two or three times, and witnessed the extreme torture she suffered, most generally during the deponent's visits, so much so as to admonish the attendant of said Mary Stuart, to call deponent as soon as she discovered any signs of her immediate dissolution, of which there was continual apprehension. This deponent saith, that said Mary Stuart had frequent temporary suspension of the faculty of speech, and that since June last, to the first of August instant, said Mary Stuart could not speak at all. Saith, that for several months previous to that period, said Mary Stuart was perfectly unable to turn in the bed, or assist herself in any way; this deponent saith, that she was in the room of the said Mary Stuart on the morning of the first of August instant, about the hour of seven o'clock, when the holy sacrifice of the Mass was offered up for her by the Rev. Mr. Meagher, at which Anne Stuart and Margaret Lynch, both religieuse of said convent, together with the attendant of said Mary Stuart, assisted; saith, that said Mary Stuart, almost immediately after Mass cried out, "Holy, holy, holy," together with other words which this deponent does not now recollect, on which deponent immediately turned about, and saw her kneeling in the bed erect, without any assistance or support, with her hands extended in the form of a cross, and saw her then prostrating herself in the bed, in the attitude of adoring God. Deponent saith, she afterwards saw said Mary Stuart kneeling at the door steps, and prostrating herself without any support, having put aside the persons who accompanied her down stairs.

MARGARET DILLON.

Sworn before me, the 15th day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

SECTION VII.

IRELAND—FURTHER EVIDENCE REGARDING THE CURE OF MRS. MARY STUART.

No. 10.

Affidavit of Margaret Lynch, a Religieuse of Ranelagh Convent.

County of Dublin, to wit:

MARGARET LYNCH, of Ranelagh Convent, in the said county of Dublin, aged thirty-five years and upwards, or thereabouts, came this day before me, one of his majesty's justices of the peace for the said county, and made oath on the Holy Evangelists, and saith that she knows Mary Stuart, of said convent, and has been in the habit of visiting her every day and night during her late illness, with the exception of the space of seven months, in the early part of the year one thousand eight hundred and twenty-two, in which this deponent, through ill health, was absent; saith, that the said Mary Stuart hath been ill more than four years, and that since September, one thousand eight hundred and twenty-two, she had been confined to her bed, and has been known to her to be unable since January last, to turn in her bed without the assistance of two persons, and so continued up to the first of August instant; saith, that Mary Stuart hath frequently been deprived of the faculty of speech during her illness, and had suffered a total loss of speech from the twenty-seventh day of June to the first day of August instant. This deponent saith she was in the room of the said Mary Stuart, on the evening of the thirty-first day of July last, after the hour of ten o'clock, and that she seemed still to labour under the same symptoms, and was apparently worse than she had been before; and this deponent was again present in the room of the said Mary Stuart on the morning of said first day of August instant, when the holy sacrifice of the Mass was offered up for her recovery by the Rev. Mr. Meagher, at which assisted Anne Stuart, the sister of the said Mary Stuart, and Margaret Dillon, both religieuse of said convent, together with Catherine Hosey, attendant on said Mary Stuart; saith, that immediately after Mass, said Mary Stuart manifested no signs of recovery, and that Anne Stuart, her sister, with apparent regret, mentioned to this deponent that she was not cured; that said Anne Stuart had hardly done speaking, when this deponent heard said Mary Stuart cry out, "Holy, holy, holy," and other words which this deponent cannot at present recollect. This deponent saith, she

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saw the said Mary Stuart immediately rise in the bed without any assistance, her sister, Anne Stuart, having ran out of the room, and the others having appeared motionless, at witnessing such a wonder. Deponent saith, that, after a very short time, this deponent saw said Mary Stuart leave the bed without any assistance, and walk down stairs to the chapel, to give thanks for her recovery.

MARGARET LYNCH.

Sworn before me, this fifteenth day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

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No. 11.

Affidavit of the Rev. John Meagher.

County of the City of Dublin, to wit:

The Rev. John Meagher, of the city of Dublin, clerk, came this day before me, and made oath on the Holy Evangelists, and saith, he is acquainted with Mary Stuart, of Ranelagh Convent, in the county of Dublin, aforesaid, and had attended her professionally, during her late illness, with the exception of a few months, during which he was himself in a delicate state of health; saith, he found her in a state of extreme debilitation and helplessness, in consequence of which he has repeatedly administered the viaticums to her, considering her distemper as incurable, and threatening death. This deponent saith, that, to the best of his belief, he visited the said Mary Stuart weekly, between the twenty-eighth day of June last and the first day of August instant, during which time he was obliged to receive her confession by signs; saith, she continued in that state, as this deponent verily believes, until past seven o'clock in the morning of the first day of August instant. Deponent saith, he administered the sacrament to her on that morning, as a viaticum, said Mary Stuart not being considered in a fit state to observe the natural fast required for receiving the blessed Eucharist; this deponent saith, that, in a few minutes after Mass, he heard said Mary Stuart exclaim, "Holy, holy, holy," and other words, which this deponent does not now recollect, and on approaching her, perceived she had a more cheerful countenance than he had ever before observed her to have; deponent saith he accompanied said Mary Stuart unto the chapel, for the purpose, as he verily believes, of publicly returning thanks to the Almighty for her recovery. Deponent saith he has visited said Mary Stuart repeatedly since, and has been assured by her she never found herself so well in her life.

JOHN MEAGHER.

Sworn before me, this fifteenth day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

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No. 12.

Affidavit of the Rev. Charles Stuart.

County of Dublin, to wit:

The Rev. Charles Stuart, of the city of Dublin, clerk, came before me, and made oath on the Holy Evangelists, and saith, that on his return from the continent, in the beginning of October, in the year 1822, he found his sister, Mary Stuart, of Ranelagh Convent, in the county of Dublin aforesaid, confined to her bed by a grievous illness, under which she had laboured up to the first of August instant, and during which time he has visited her almost every week, and generally twice a week; saith he almost constantly heard her complain of the extreme violence of the pain of her head, and deponent's constant impression was, that she never would recover; saith that, during such period, he witnessed repeatedly a partial suspension of the faculty of speech, which prevented his being able to understand her, unless by a close application of his ear to her mouth; saith, that on or about the third day of July last, he saw the said Mary Stuart, at which time she had not the faculty of speech, and deponent was then informed and believes, that she had been deprived of speech for some few days previous, and that she continued in that state, as he believes, up to the first day of August instant, during which time he frequently visited her; saith, that he was in her chamber on the morning of the first day of August instant, before the hour of seven o'clock, and assisted at the devotions previous to the Rev. Mr. Meagher's offering up the sacrifice for her recovery, and deponent went to the convent chapel a few minutes before seven o'clock in the morning, to say Mass for her, up to which moment she continued to be afflicted with the same degree of helplessness and loss of speech, which he before frequently witnessed; deponent saith, he returned shortly after Mass, and found her prostrate in the bed, and saw her raise herself without any assistance; saith, that shortly after, he saw her kneel in her room without support, and afterwards accompanied her to the chapel of the convent, where she knelt with firmness, and then, for some time, prostrated herself before the

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altar; saith, he visited her every day since, and found her each day without any symptoms of her illness.

CHARLES STUART.

Sworn before me, this fifteenth day of August, 1823.

JOHN DANIEL ARABIN,
Magistrate, County of Dublin.

The preceding numbers, 1 and to 12 inclusively, are true copies of original papers now in our possession.

DANIEL MURRAY, D. D., &c.

Dublin, 15th August, 1823.

SECTION VIII.

THE REV. PRINCE ALEXANDER DE HOHENLOHE.

THIS distinguished ecclesiastic, has attracted considerable notice in Europe; his name and character begin to excite attention in America. Several inquiries have been made of late about his family history and acquirements. We have received some documents from Europe, which enable us to give a sketch of his life and character.

The princes of Hohenlohe, from whence the present prince is descended, are one of the oldest families in Germany, and were known as reigning counts of the empire in the 11th century. They take their name from the castle of Hohenlohe, situated between the Mayn and the Tauber, in Franconia. They were one of the first families who embraced the reformed religion so called, but returned to the bosom of the Catholic church, in 1667.

In 1744, they were elevated to the rank of princes of the Roman empire, by Charles VII. They are divided into two reigning families, or houses, viz.: of Neuenstein and of Waldenburgh, to the latter of which the Rev. Prince Hohenlohe belongs. He is one of the canons of the chapter of Olmütz, and a knight of Malta. The revenue of his commandery and church preferments, independent of his family income, place him far beyond the wants of life, and are a sufficient answer to those scurrilous and infidel writers, who have accused him of mercenary views.

Prince Alexander, of Hohenlohe, was born on the 17th of August, 1793, near Waldenburgh, in Hohenlohe, the eighteenth and last son of Charles Albert, reigning Prince of Holenlohe, and general in the Austrian service, and Judith, Baroness of Rewitsky. When the Prince was two years old, his mother became a widow, the model of every virtue. Every morning and evening she assembled her family to prayer. Mindful of the awful responsibility devolving on her in the care of her beloved son, she confided him to the direction of the Rev. F. Riel, a member of that enlightened and religious body of men, the Society of Jesus; who instructed him in religion and science. In 1800, his eldest brother, Prince Joseph, fell at Ulm; his other brothers, Albert, Conrad, and Francis, being also soldiers, and exposed to the hazards of war, it was hoped to give to his mind fixed on the church, a worldly bias; but wishing rather to be a servant of Christ in the vineyard of his church, than a servant of the world, he resigned arms for piety, and escaped from the arts of the field to the devotions of the altar. In 1804, he began his classics in the Theresian College at Vienna; and in 1808, took lessons of philosophy at Rome. Returning home two years afterwards, he was again, but in vain, pressed for the world, and entered the seminary of Vienna. M. Frint, the court curate, and the author of a theological journal, &c., gave him lessons of theology. At Frinau he spent a year at the Ecclesiastical Institute, and returned in 1814, to finish, in the house of his uncle, the Bishop of Augsburg, his course of theology.

In 1814, he was nominated Canon of Olmutz; in 1815, he received a sub-deaconry, and first ascended the pulpit on the 22d February. On the 16th September, he was ordained by his uncle, and on the 17th, said his first Mass. On this occasion, Dr. Sailer, since Suffragan of Ratisbon, pronounced a discourse, afterwards published, "*The Priest Without Reproach*," seemingly prophetic, and since verified. In 1816—17, his highness made a tour of piety in Italy, arriving at Rome on the 27th October, when he united with the Jesuits and others most eminent for piety. At Rome, he joined the public devotions in the churches, and preached, on the feast of the holy name of Jesus. March 1, he returned to Munich: on the 8th June, he was made ecclesiastical counsellor of the V. G. of Bamberg.

Assiduous in his functions, his sermons are attended by innumerable persons, they are so powerful, eloquent, and impressive, as to draw tears from the eyes, and convert the hearts of the most obdurate—he seems to put on immortality, and take the wings of the seraph, when offering up the sacrifice of the Mass. As the true pastor and follower of his Redeemer, he forgets the grandeur and dignity of the world, in the practice and preaching of humility, meekness, and charity—his distinguished piety and benevolent disposition towards suffering hu-

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manity, excite the astonishment of all—with a sublime eloquence, distinct and intelligent delivery, he displays a profound knowledge of the world, of the *Holy Scriptures*, and the writings of the holy fathers—he sings the praises of God admirably well, with a full, clear, and harmonious voice, and is blessed with every qualification for the most exalted purposes of the Almighty, as a prince a priest.

At Wurtzberg, he commenced these extraordinary actions which have astonished Europe. He has chosen as his companion in prayer, a man of humble condition, by name, Martin Michel. Pope Pius the Seventh, made him a present of the very crucifix used by the great St. Francis Xavier in the Indies.

When any person recommends himself to his prayers, he directs him to make acts of sincere contrition, of a lively faith, of a firm hope, and of an ardent charity; and that he will pray to God for him, and offer up the holy sacrifice of the Mass in his behalf; and also requests that such person prepare to receive the holy communion on the same day.

The following works are written by the Prince:

1. The Christian Praying in the Spirit of the Catholic Church.—2. Sermons for H. Week, 1819.—3. A necessary Defence of P. A. of Hohenlohe, against the Paper of Weymar, on the conversion of Dr. Wetzel, a Protestant, who on his death-bed had asked to see the Prince.—4. Sacerdos Catholicus de Oratione, et contemplatione positus, *Vienna*, 1820.—5. What is the Spirit of the Times?—6. The Dignity and Duty of a Priest, a sermon.—7. A Sermon on the reestablishment of H. R. H., the wife of the Hereditary Prince of Bavaria, 1821.—8. The Christian in Retreat, meditating on Death, Judgment, Heaven, and Hell, 1821.—9. Devotions adapted to all Kinds of Trials, 8vo; and the following is attributed to him; What is the tie of the Catholic Christian to the See of Rome?

SECTION IX.

A NEW cure, obtained by the prayers of Prince Hohenlohe, has caused a great sensation in the Diocess of Mans, in France. We give the facts as they have been represented to us by a respectable clergyman, who was an eye-witness of them. Mary Dorizon, a poor woman now 43 years old, but very much respected for her virtues, was subject, since the age of 17, to a nervous disease of a very extraordinary nature, and all the remedies which had been given her proved unsuccessful. For the last year, particularly, it assumed an alarming character—she had convulsions daily, which rendered her person quite deformed; add to which, ulcers, swelling of the legs, and other diseases, and one may form an idea of the state of the patient. It occurred to her friends to write to the prince on her behalf. The letter was sent at the beginning of last November; the prince answered it very punctually; we give his letter here to show in what a spirit of piety it is dictated.

"I have received the letter which you did me the honour to write to me, and I shall comply with your request with much pleasure. I doubt not but that you will offer up your prayers with all the dispositions which can render them efficacious; lively faith, purity of conscience, undivided love, unbounded confidence and profound humility. Could our Divine Saviour, JESUS CHRIST, in making prayer a precept, render the performance of it sweeter and easier than in promising in several parts of the holy Gospel, to grant all that we should ask of his Father in his name? Be then animated with a strong faith, which excludes all doubts and hesitation, with a truly filial unlimited confidence in the promises of a Father, whose goodness and mercy are infinite as his omnipotence. But let us remember, that, in asking to be delivered from the evils which afflict us, we ought, above all things, to propose to ourselves the glory which would accrue to GOD from the cure, and that we ought to desire it principally in order to be in a state to serve him better, and to fulfil more faithfully the duties of our stations. Let us remember also that Christian perfection consists in the conformity of our wills to that of GOD. Let us await his benefits with the most perfect resignation to his adorable decrees, and let us thank him every day of our lives, if, to render us more like his Divine SON, he wishes to effect our Salvation by the Cross, and thus to put us in possession of the celestial inheritance. I will pray on the 18th of January, 1824, between the hours of nine and ten, for the intentions mentioned in your letter, and I will repeat my prayers the 26th of January, between nine and ten. May the grace of our Lord JESUS CHRIST be always with you.

"Your devoted servant,

"Prince ALEXANDER HOHENLOHE.

"Vienna, 3d of December, 1823."

This letter did not reach Evron until the 22d of January, before which day her friends had reason to fear, from the violence of her disease, that her end was approaching. Sunday, the 25th, two masses were offered up for her intentions; she fainted during both, but at the moment of the elevation at the second, she recovered her senses and

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exclaimed, "Thanks be to the good God!—give me my clothes." She rose without assistance and remained long enough on her knees to prepare herself for communion; she received a little before 9 o'clock; it was not until the afternoon that they recollected the difference between the meridians of Paris and Vienna, so that the cure had taken place at the moment when the prince was at prayer. In short, this cure has been such that the patient, incapable hitherto of moving a step, repaired alone to church, and assisted at High Mass, to the great astonishment of the spectators. Since this time she walks and works. Her person has become straight, her wounds have closed, and her diseases have disappeared. Three weeks had passed when they wrote to us, her strength was re-established, and everything announced a permanent cure. The bishop has charged one of his vicars-general to ascertain the facts, and they have kindly promised to communicate the result of the inquiry to us.

SECTION X.

Paris, July 28.

An extraordinary cure has lately taken place in the parish church of *Laigne en Blin*, diocess of Mans. The unmarried woman Mary Gourmy, aged 48 years, had been wounded about fifteen years since in the lower joint of the right arm by the fall of a slate, several pieces of which had entered the flesh. The wound was dreadful, and, at several intervals, a great many of the splinters of slate were extracted, and the patient not adhering to the regulations of the physicians, it became considerably worse. One of the physicians advised amputation, to which the patient would not submit. Shortly after the discontinuance of the physicians' visits, the wound appeared to be gangrened, the right leg became contracted, so that it was found necessary to use a wooden one: the right side of the tongue became contracted, so that she lost the use of her speech. She continued in this state during eight years; she wrote to Prince Hohenlohe, and he answered her, that on the 1st, and on the 10th of July, he would pray for her restoration. A novena was performed at the church for her. On the 1st of July, she was taken to the church, and during Mass, which was offered for her, she laid aside her crutch at the elevation, and removed her wooden leg, from which she experienced some pain; she walked to receive the holy communion. Scarcely had she received the holy Sacrament into her mouth, before she found her tongue loosed, and with a loud voice began to praise God. Since then she speaks distinctly and walks without any difficulty. Her right hand is as yet somewhat swollen, though in a very satisfactory state of healing, and she moves it to her head and shoulders which she could not have previously done.

The Bishop of Mans wishes to have the case investigated, and four health officers of the canton have testified the former and the present state of Miss Gourmy, and drawn up the affidavits, to be sworn to in the presence of the vicar-general.

The *Ami de la Religion*, of August 4, published in Paris, contains an account of an extraordinary and severe malady under which a Mr. M. L. Chevigne, a former French officer, living in Baltimore, laboured during several years; together with his having had recourse to the prayers of Prince Hohenlohe, and in consequence having been restored to perfect health on the 10th of last April. Although this is stated to have occurred in Baltimore, we have not known any account of it besides what appears upon that publication. We should feel obliged to some friend in Baltimore for information. It is a little remarkable that we should be receiving our American news from France and England. We do not believe the French or English send their news to this country that it may be copied from our papers into theirs.

Barbe Boutier, wife of Matthew Fidric, vine-dresser at Noroy, in the arrondissement of Nanci, was many years attacked with internal cancer; physicians were tried in vain, and all hopes of effecting a cure were given up by the doctors and herself. The Rev. Mr. Jacquemire, parish priest of Noroy, wrote to Prince Hohenlohe, and received answer that he would pray for her cure on the 18th and 27th of July, recommending to her to make a novena in honour of the holy name of Jesus. On the first day, Mrs. Fidric went to communion, and felt herself instantly cured. She immediately attended to her household affairs, and after the 19th, she has regularly wrought in the vineyard. The sudden and perfect cure has made a great sensation at Nanci.

SECTION XI.

MIRACULOUS CURE,

Obtained by the Intercession of Prince Hohenlohe, on the 10th February, 1825.

The Sisters of the Visitation in Georgetown, D. C., to their religious friends.

We have received so great a favour from God in the manner that he has effected the

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cure of our sister Elizabeth Beatrix Myers,* that we alone could not return him sufficient thanks, and must impart to our friends, and the friends of religion, the cause of our happiness, that many feeling with us, and sharing in our gratitude to the Author of all good, he may be more glorified by our joint efforts in praising and giving all thanks to him.

We had four sisters sick, for whom the art of physicians gave us no hopes of effectual relief; therefore, we resolved to apply for the cure to the great Physician of heaven, and, according to former indications of Prince Hohenlohe, we began a novena of prayers for them on the first of this month. Thursday, the 10th inst., at three o'clock in the morning, corresponding to the time at which the prince must have said Mass in Germany, our spiritual father carried the blessed sacrament to these four sick sisters in the infirmary, and after having given them the holy communion, and made a short prayer, he retired. Our mother and five sisters were kneeling in the room, joining in prayer with the four who had received. Just as they thought of withdrawing to rest, leaving the success to God, sister Beatrix called "Mother;"—mother immediately went to her, and our sister, clasping her by the hand, said: "Mother, I think I am cured—Lord Jesus, may thy name be glorified for ever"—and made several moving aspirations, inviting others to help her to thank God. She then asked for something to moisten her lips, and said she would like to get up, which she did—and immediately knelt down to thank God. Soon after, she begged leave to go into the gallery, adjoining the infirmary, which communicates with the chapel, where, falling on her knees, she remained some moments in prayer, whilst our mother and sisters, who had followed her, prostrated in thanksgiving and praise.

Previous to her rising from bed, two sisters, animated with joy, went in great haste to announce to the father her cure, urging him to come back and see her—to which he replied, "Well, let us prostrate and thank God: go, and enjoy it in peace, and be quiet: it is night time; make no noise about it." He then withdrew to rest and waited until seven o'clock, a moment before his mass to visit her, whom he found standing in the infirmary: she fell on her knees on seeing him, to beg his blessing, which, as a priest, he says he gave her; but thought he ought rather to fall on his knees himself, to thank God with her, for the blessing she had procured us.—The infirmarian from prudence wished her to hear mass in the gallery, but the father told her to go down to the choir and hear it with the community, which she did—walking without the least assistance down the various stairs and winding passages, and would have knelt during the whole time of mass and general communion, had she not been told to sit sometimes.

She had felt herself cured at the moment she received holy communion, although an instant before, at the approach of the blessed sacrament, and hearing the little bell which announced it, she felt an extraordinary revolution within herself, such as she had never experienced before, but which rather frightened her, thinking she was dying; this, however, soon subsided, and was succeeded by a calm during the preparatory prayers, and on receiving, she felt conscious that she was cured, but would not then move, through respect, and thinking that the other three were also cured, and that they being of the black veil, and she of the white, she ought not to speak before them: however, six or seven minutes after, seeing our mother make a motion to retire, she thought it was time to speak, and called "Mother," as we have said. After she returned from the gallery, she sat with our sisters at the first conversing with a holy joy for about half an hour; she then asked leave to go to the beds of her three sick companions, to which she rather flew than walked.

We will leave the doctors to explain, if they please, the nature, curability, and accidental possibilities of her disease; but we were judges of the effects, like them, and can probably judge better than they of the means and perfection of her cure.

She was taken about two years ago with violent headaches, attended with a debility, which continued to grow worse, and afterwards her disease assumed so many different appearances, as to occasion the physicians to say at times that they knew not what to think of it. Last September she seemed ready to expire; the holy viaticum was accordingly given to her on the fourteenth of that month, and since that time she had remained confined to her bed, which she did not quit until the morning of her cure, having but a few times been able to sit for the length of an hour, and seldom more than twenty minutes in a day; nay, often unable to rise to have her bed made. This winter her pains increased to such a degree, that we apprehended the worst;

* This sister is twenty-nine years of age, was born near Conewago, Adams County, Pennsylvania, and has been four years in this house.

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the blood rising to her head and producing alarming effects; she had to be bled and blistered frequently, which, however, afforded her but a temporary relief. She had continual pains in her breast and head, and the Sunday before her cure, the doctor visiting her, found her extremely ill.

From the commencement of the novena, her illness increased to such a degree, that she thought she could not recover, and was perfectly resigned to die. She had, however, some transient thoughts that she might be cured, but felt nearly a fear of it, on account of her desire of going to heaven, and said she was afraid she should not see our blessed Lady so soon as she had expected.

When she found herself cured and wished to rise, she feared that her legs could not support her, but thought within herself, as she afterwards said, that he who had cured her body, could also strengthen her legs.

Our physician, Dr. Bohrer, who was most attentive to her, came the second day after her cure, (the 11th inst.,) to visit his sick, knowing nothing of what had happened—and who does he meet in the parlour but sister Beatrix! (The father had sent her there to content the pious curiosity of two devout ladies.) After having looked at her a considerable time with marks of the greatest surprise, the doctor exclaimed, "Ah, Beatrix! Prince Hohenlohe must have been here at work!" He put many questions to her, physical and metaphysical, all which she answered with her usual simplicity, and to his entire satisfaction. He felt her pulse, looked at her tongue, and made her draw a long breath, to prove that she found no difficulty in her respiration: he questioned her concerning her local pains, and found that all had left her. Her disease, he says, had latterly assumed the character of hectic fever, and no marks remain of it, nor of any disorder, unless some quickness in her pulse be considered so, as he observed; but we think this natural to her, or that her strength is not yet entirely restored; for the countenance of this dear sister, her eyes, voice, skin, and appetite, all bespeak the return of her health. During her sickness she had an intolerable breath, but on the morning of her cure it became quite sweet and continues so.

Our three uncured sisters feel as glad and thankful for the cure of their companion, as if they themselves had experienced it: nay, they rejoice more, as their cure would not have appeared so miraculous as hers. They rejoice, and all the lovers of religion will rejoice with us, and with our sister Beatrix; (truly Beatrix, i. e. happy, and giving happiness to others); in seeing Jesus glorified, his real presence and action manifested in his adorable sacrament in so beneficial a manner, and our faith, hope, and love so well confirmed. May his holy name be for ever praised and blessed.

THE SISTERS OF THE VISITATION
OF B. V. MARY.

Georgetown, D. C., Feb. 12th, 1825.

Attestation of the Physician.

As much of the above as came under my observation is correct; and I discover, now, no marks of disease whatever, unless a pulse more frequent than should occur in health may be considered so.

(Signed) BENJ. S. BOHRER, M. D.

February 14th, 1825.

SECTION XII.

EXTRAORDINARY CURE.

THE following letter has lain by, with other interesting matter, for some time back. We do not hesitate to give as our opinion that Mr. Chevigne's cure is miraculous. But not having been examined, as is required in such cases, we do not feel warranted to give a stronger expression in our title.

We have the original French letter and certificate, of which the subjoined are translations, left at the office in the hands of Mr. Haly, who will show them to any persons desirmg to read the originals.

We admire the good sense and piety of the writer; we congratulate him upon his cure, and unite in his gratitude to our good God, and feel obliged to Mr. Chevigne and to Doctor Chotard, for their polite and edifying communication.

To the Editor of the Catholic Miscellany.

SIR:—The remark you made in one of your numbers, concerning my miraculous cure, and your surprise at having heard it only through the medium of European papers, must have struck your readers perhaps still more than the silence hitherto maintained on a fact of that nature. Conjointly with the desire you have expressed to know the particulars, I feel I should be wanting in gratitude to the divine mercies I have received, if I did not put an end to the doubts which may have arisen from your just observation on the silence which has been hitherto observed.

First—I was in no way instrumental to the publication of this miracle in Europe: I mentioned it and its circumstances to a friend at Paris, he communicated it to an editor, who thought proper to publish it.

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Secondly—The miracle wrought on me is not of such a nature that it can be authentically proved, because the circumstances rest entirely upon my own testimony, and lapse of time was necessary to establish the certainty of a perfect cure, yet I feel now called upon to give you the particulars. I will therefore do so, that every person may attribute it either to natural, or miraculous causes, according to his own judgment. I have mentioned it as miraculous, because, independently of the nature of the fact, I have an interior conviction, which does not permit me to doubt it.

In 1799, I was attacked by a very severe illness, which was followed by a canine appetite, that continued about two months, during which period I was compelled to eat abundantly, and that sometimes ten times in the day. Since then I have experienced the same hunger after every fit of illness, however trifling, which I have endured. About twelve years ago I was attacked by it, without any cause from previous illness, but the attack was accompanied by a fever and a violent throwing up of blood, which required the use of medicine and strict regimen, but the disease increased, and only ceased when I was permitted to take abundant nourishment. This attack lasted several weeks, after which I recovered my usual state of health, which continued about a year; then, I was again almost continually troubled with this extraordinary malady, which appeared to resist all the means employed to assuage the great burning in my stomach; which was such that fat, which seemed to procure for me a momentary relief, produced the same effect as oil applied to an inflamed wound. About eight years ago, the physicians having in vain tried all the power of the healing art, prescribed for my food only a thick pap, made of rye flour, molasses and milk, which in this country is called mush. This food did not cure the disease, but abated its violence so far, that three abundant meals a day were sufficient for me, yet when I happened to restrain my appetite between meals, I experienced great suffering, and if I persisted in not gratifying it, I felt such a giddiness that when I walked I was like a drunken person, but the fits were short and scarcely perceptible to others. My natural habit of body was a troublesome fulness; notwithstanding, the state of my appetite obliged me to eat in order to prevent the bad effects of that corrosive humour which gnawed the coat of my stomach, when it had no food to act upon. When the want of eating became violent, I felt a twitching, accompanied by a cough, which ceased as soon as I took some food, and the throwing up of blood, before mentioned, proceeded from that acrid humour; this frequently occurred but in small quantities. Another effect of this disease when I delayed taking food, was to contract my stomach so much as so cause a difficulty of breathing, so that I used to say that it was as impossible for me to fast, as to exist without breathing.

This is the state I was in at the epoch of my cure; my body labouring under great and continual sufferings, and my soul in the greatest affliction, sending forth continual sighs to Him who alone could deliver me from so painful a state. He who possesses my confidence more particularly, is the only one who knows the full extent of my sufferings, for notwithstanding that fulness of habit which naturally keeps the mind in a state of indolence, I enjoyed my intellectual faculties perfectly, and was not prevented performing my religious and other duties.

My cure was not wrought like that of Mrs. Mattingly's and Sister Beatrix Myers', who were cured at the time of receiving the sacrament; for it seems that by these two miracles God designed to prove his real presence under the appearance of the consecrated host, but my cure was not manifested to me in so pointed a manner, and indubitably, from the nature of the distemper, it could not have been.

I was cured only at the third novena that I made; the two preceding, in February and March, were unsuccessful; the third, began on the first of April: being on the morning of the ninth, at prayers in the church, my mind occupied devoutly without thinking of my disease, I felt all at once such a dilation of my stomach, as caused me to say to myself, if it were the day of miracles, I should think I were cured; then added I, the Lord needs no preparation for his miracles. Yet I paid but little attention to what took place. Nevertheless, I attempted to eat less at breakfast and at dinner, but about four o'clock in the evening I felt the same giddiness as before mentioned: though with intervals it lasted two hours. Yet I tried again in the evening to eat less than usual, but, on the next morning, I felt the bad effects of the abstinence. The next morning, having arisen at two o'clock, to assist at the Mass which was to be said at three, to correspond with the time and the intention of that of the Prince Hohenlohe's, who had promised to offer the holy sacrifice at that hour, I experienced a violent disorder of my stomach, which was one of the worst symptoms of my disease, but it was of short duration: my hopes of a cure were very feeble, and I approached the communion

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less with a view of my own cure than in the expectation of that of some other persons for whom the novena was also made, and whose diseases being of a more striking nature, the cure would be the more surprising. But the Lord has his designs which are to us impenetrable. I felt no favourable impression at the communion, and after my usual prayers I retired to my room to repose myself. I afterwards prepared to return to church to hear another mass to which I had engaged myself as an atonement for my irregularity in not observing the fasts; it all at once occurred to me that I could fast. I banished the thought as not having found any perceptible change in myself upon which it might rest. During the mass, the same idea obtruded itself again several times, when I believed that I could carry it into effect; therefore, instead of going to the breakfast room I retired to my own, and felt no pressing desire to eat.

Quietly occupied with subjects relating to my profession, about nine o'clock, I felt my stomach possessing a merely natural heat, and altogether so healthy that I no longer doubted my cure was real. I took no nourishment, not even any liquid, till one o'clock at dinner time, when I partook of the common fare, fish and vegetables, which had hitherto greatly disagreed with me; I was not in the least incommoded by them, but continued to feel remarkably well. In the evening, I took only warm water and sugar, with a morsel of bread, which had been my usual collation before being attacked by the disease. The tenth of April last year, fell on the Saturday preceding Palm Sunday. I fasted easily through all passion week the same as on the preceding Saturday, until Maundy Thursday, but from that day until Easter Sunday, I experienced occasional twitchings in my sides, but unaccompanied by any bad symptoms as formerly. During the whole year I have observed all the fasts ordered by the church, including the whole of Lent, without experiencing any particular pain, though I felt hunger strongly. It is true I ate more than the usual collation. Coffee having always disagreed with me, I substituted for the warm water and sugar I used to take milk, in which I diluted a small quantity of butter.

This is, sir, a very long letter: I leave it to your wisdom and knowledge to make such use of the whole or part of it as you may deem will most conduce to the honour and glory of God; besides I request those persons that are informed of my cure, and believe it to be miraculous, likely join their thanksgivings with mine; this I have more particularly done to-day, being the anniversary of my cure.

With great respect, I remain,

Your humble servant,

L. Chevigne,

Professor of Mathematics at the College of St. Mary's, where he has resided 22 years.

Baltimore, 10th April, 1825.

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(copy.)

Mr. Chevigne having communicated his letter to me, I think I am in duty bound to add, that having been his physician, I find nothing in his recital but what is strictly true; yet I must also add, that the author, through too great a modesty, fearing to say too much, has not said enough. I declare Mr. Chevigne is now perfectly well, and can eat all sorts of food without any inconvenience.

Peter Chotard, M. D.

LETTERS ON CERTAIN POLITICAL MEASURES.

ADDRESSED TO DANIEL O'CONNELL.

[The ensuing series of letters was addressed to Mr. O'Connell by Bishop England, who was on terms of intimate friendship with the illustrious Irish statesman, to expostulate with him on his yielding his support to certain measures proposed in connexion with the Act of Catholic Emancipation; one of which was the disfranchisement of the forty shilling freeholders of Ireland; the other, the pensioning of the Catholic priesthood by the crown. The letters were published in the U. S. Catholic Miscellany, Nos. 2–13 of Vol. V., for 1825.]

LETTER I.

To Daniel O'Connell, Esq.

Charleston, S. C., July 8th, 1825.

My Dear Friend:—I have waited until the account of the failure of your hopes reached me. Having now ascertained that the British House of Lords has rejected the Emancipation Bill, I address myself to you. To you who know so well my convictions

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and sentiments, upon the great question of your rights, it will be subject of little wonder to learn, that I have been more gratified at the failure of this bill, than I would have been at its success. I believe you differ with me in the conclusion, although I have no doubt we agree in principle. My object in thus publicly addressing you, is to show to those who may read what I publish, in what we differ, and where I conceive you have greatly mistaken, or where I am very much in error. As regards me, placed where I now am, my views, my opinions, and my acts regarding my native country are matter of no moment, yet still I will not yield to you in love of Ireland. Not so with you; every thought, opinion, or act of yours, is important, has great influence, and in a certain crisis, might determine the fate of Erin. When I address you then, I have in view to rouse you, by our former ties and still subsisting friendship, to examine carefully which of us is wrong; when I call upon you thus publicly it is to induce some of our former fellow-labourers, from whose memory my name is perhaps not yet obliterated, to guard their judgments against the influence of your name, which they would be ungrateful if they did not revere. But though you are my friend and their benefactor, your judgment is not infallible. And I trust I am able to say with justice of myself, *amicus Plato, amicus Socrates, sed magis amica Veritas.* A further object which I propose to attain by publishing at this side of the Atlantic, is, that as the question of Irish wrongs begins deeply to interest the people of America, they may be able to learn the true state of the question, and not be misled by the garbled extracts which many of our editors make from the dishonest publications of the British press. You can have no idea of the very imperfect notions which men, otherwise extremely well informed, have of the religious and political state of Ireland.

Your are fully aware that I have had equal opportunities with most others of knowing all the bearings of the Catholic question: that I had better opportunities than many others of knowing the state of the freeholders. I know their misfortunes, their temptations, and their conduct. Few could know as well as I did what sort of men were the Catholic clergy, and you and I have not unfrequently conversed upon the subject of their being paid salaries by the crown. The few years which have passed away since I sat with you at the same board, took part in the same debates, and since we both made habitually those topics the subject of our anxious thought and confidential communications, can not have made so great an alteration in their circumstances as to have rendered me unfit to question you a little regarding their present state, and your late conduct.

There are three topics of matter. 1. The relief of the Catholics. 2. The modification of the elective franchise. 3. The payment of the clergy. There are four descriptions of persons to be contemplated. 1. The Catholics of the British Empire; perhaps we had as well confine our view to those alone of Ireland. 2. The Irish nation, or rather the Irish province of the British Empire; *fuimus Troes.* 3. The government of Great Britain. 4. The people of the British nation.

The papers here have represented you as anxious for the relief of the Catholics; indeed it would be strange if you were not, it would be strange if I was not, it would be strange if every Catholic was not, if every lover of Ireland was not, if every lover of civil and religious liberty were not, if every just man were not. You sought it now upon that principle which always led you to seek it, and were I to make an unnecessary and profane oath as did that ill-advised and infatuated Duke of York, the Bishop of Osnaburgh, I could upon the most solemn and sacred pledge aver that I have never known any Roman Catholic seek it upon any other principle. The principle is that of the great, good, venerable, liberal, and charitable Protestant Bishop of Norwich. A principle which, as you have frequently expressed yourself, would give emancipation to the Catholic in Great Britain, (let me add in North Carolina and New Jersey,) to the Protestant in Spain, and to the Christian in Constantinople. The principle that although God will in another state of existence punish the criminal unbeliever, he has given to no man, to no body of men, power to punish him in this present state of existence for mere disbelief of doctrine. But that he has left conscience free as regards society, though bound as regards himself. This is the principle of religious liberty, not the principle of irreligious licentiousness. Persecution has frequently made hypocrites, I doubt whether it ever made a convert. Hypocrisy is a crime of the highest order, and though instances might be adduced where persecution made converts, the means should be lawful before they could be applied to produce the effect.

The relief bill brought in by Sir Francis Burdett, which was passed by the British House of Commons, and lost in the British House of Lords, was a bill which would, if carried, indeed have emancipated the Irish

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Catholics, brought great blessings of tranquillity, contentment, industry, and happiness to Ireland; perhaps it might not have answered the purposes of the British government, but it would undoubtedly have strengthened and comforted the British nation. Was this the only measure contemplated, every good man would have desired its success and would have regretted its failure. But to confine our views to this bill would be looking at the question very imperfectly; it was but the first of three terms of a compound sum: at first view or to the casual observer, the parts appeared separable, but upon closer inspection the delusion was apparent and the crotchets of the statesman bound them inseparately together. We must not then view the benefits of the one without examining the evils of the others; the deduction to be made by the second quantity, which was negative, might be greater than the positive amount of benefit conferred by the first, and although the third term was positive too, when examined it might be found to result in the bestowing of positive evil. One of our American sages relates of himself, that when a boy, being very anxious to procure a whistle, he thoughtlessly gave to an urchin who observed his anxiety, considerably more than its value. Young Franklin was amused for a time with the sounds, but when the charms of novelty had vanished and he had made some inquiries, he discovered that he had given a great deal too much for his whistle. Believe me, my friend, Mr. Canning observed your anxiety, and he knows very well how to sell a whistle.

The newspapers stated that you were favourable to the bill for disfranchising the forty shilling freeholders in the counties, and making the lowest qualification in those counties, ten pounds yearly freehold interest. What a crowd of times and places, and persons and conversations, and speeches and consultations, rushed upon my mind! I knew what the British press was. I know one of its principles was to vilify, to traduce, to calumniate, and to misrepresent you, and every one who stood on the same side that you did, and to bepraise, magnify, and extol all our opponents from our positive enemies, the Duke of York, the Dublin aldermen, Lord Bandon's little corporation, and the 'prentice boys of Derry, up to our superlative enemies. Mr. Canning, and him whom it would delight to have maces laid before him upon the Irish velvet cushion. Believe me, my friend, I felt convinced that this press, still nearly, if not altogether the same, as it was five years ago, had misrepresented you, and I almost felt warranted from my recollections, to assure the editors here, that there must have been some very extraordinary mistake. My Irish papers were rather longer than usual, due; at last they arrived. I found a letter of yours, complaining that you had been misrepresented. I began to feel satisfied. I took up another paper and I found what I sought, our friend, John Lawless' letter, complaining, as I would have done, had I believed as he stated. I looked for your examination. I read your well known principles in your answers, that you preferred universal suffrage. I have seen it in full operation; like every other system it has its evils—but it is far better than I thought it was when I was in Ireland. The advantages are greater than we used to rate them, and the evils fewer and lesser than we used to admit into our calculation. I was pleased when I found you speak your former sentiments. Yet I found Lawless pertinaciously fastening upon you, and you endeavouring to shake him off and *to keep the people quiet*. Yes! *to keep the people quiet*. I recollected *the Divan*. You cannot forget *the Divan*. You know the prudent portion of the natural leaders induced you to join with them in close meetings, to do the people's business without the people's consent, even in a manner which the people did not like, against the people's will. But we soon brought you back to the agitators; you were too honest to remain with the natural leaders. I must inform my American readers, that the natural leaders were a number of Catholic gentlemen, whose fathers had been more fortunate than some of their fellow Catholics, in keeping a portion of their property, preserving their titles of nobility, or acquiring property, recovering nobility, or attaining to baronetage, whilst their less fortunate fellow-sufferers endured the loss of everything, except their religion and their honour, and perhaps their recollections. The sons and survivors of the more fortunate, though infinitely less numerous portion, formed a sort of Catholic aristocracy, and not content with being always complimented by the people with the first place in their affections and esteem, and preferred to the men of sound sense and strong nerve, whom the people made their associates, the natural leaders affected great prudence and moderation, and in proportion as they were permitted to visit the clerks of the lord lieutenant's secretary, they were observed to dislike the agitators, as they called their associates. They at length withdrew from the agitators; the government presses praised the natural leaders;

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their superlative enemies, that is, the *soi disant* friends of the Catholics, shook hands with the natural leaders, and were shocked at the rudeness of the agitators. A few close meetings of the seceders took place; though you, my friend, were the prince of agitators, you were induced to attend. Your motives were good. The people were astonished to see you at those close meetings which they called *the Divan*. Indeed, if my recollection serves me right, you told me you scarcely were conscious of your personal identity at those meetings. But you discovered that their principle and ours were essentially at variance. We both sought emancipation; this was the object of the agitator, this was the object of the natural leader. But we disagreed in this; the agitator would give nothing but gratitude and loyalty to the government which would do him justice; the natural leader would give something else: the one begged for his right as a boon, and would be grateful for what would be accorded. He said, "all is due, but I shall be grateful for anything which you bestow; you shall have my fidelity and my thanks; I have no more to give." The other asked in the same way, but added, "besides fidelity and gratitude, I am ready to go as far as I can, in taking something from popular rights, and adding this to the prerogative of the crown."

You could not betray your country, you would not do this. One or two of our little poets sung; you recognised the notes; your soul became enamoured with the melody; you fluttered round your cage; you found an aperture, and we soon heard you warbling your harmonious effusions full of life and joy, and the pride of liberty in our own green bower.—These days, my friends, were days of trial, but they were days of pleasure too. My eye fills, my heart grows soft, and I fancy myself thousands of miles hence, when memory brings me back amongst you. I recollect the cold prudery of the heartless Judge Downes, when he committed murder upon Irish-English, and solemnly told a jury, upon his oath, that pretence and purpose were synonymous in Ireland, and a Dublin jury swore that his lordship's inconsistencies were good grammar; though you know the jury was a selection of your beggarly Dublin corporation, who would not have committed even a venial sin, in the breach of every rule of Louth's grammar, because *nemo tenetur ad impossibile*. I recollect Lord Manner's solemn visage. * * * * Even Mr. Saurin glides before my eye in the domination of ascendency, in the semblance of evangelical meekness; but his distended bag yawns like the insatiable grave, and desires to bring down all that dared to aspire to freedom, into the same prison-house with the beggar and the vagrant, and the thief and the felon, to prove that all men are equal: and that the law is just which says, that he who will not swear what he does not believe, shall be persecuted, whilst the perjurer shall be his judge. Yes, in all this there is a comfort which no one can describe; but which the victim of such men feels. You, and I, and our associates, have felt it, when in the disquisition of our wrongs we measured how far principle extended, and drew our line beyond which no one was to go, within which no stranger was to be admitted. Each of us was prepared for his dungeon, because no one of us knew who would be its first tenant. And the triumvirate to which I have alluded, together with Mr. Peel, charitably intended it's benefit for us all. When, in such a time as this, Daniel O'Connell was teaching me the nature of feudal tenure, the origin of freehold, the mode in which it might be acquired, secured, and extended. When our vessel was just settling down upon the quiescent sea, the storm having wasted its fury, the waves having nearly subsided; when our flags and sails and smaller cordage had been torn from our masts, and those masts themselves had been kept in their place, only by the newly acquired bracings of the elective franchise, what would Daniel O'Connell have said to the man who would request of him an axe, that he might cut away some of those shrouds and stays, which had withstood the fury of the tempest, in which our royals. and topgallants had been blown away?

You told the committee that you preferred universal suffrage. Granted; but when you found your superlative enemies about to give Catholic emancipation, and to diminish popular rights, and when the vigilant Lawless called upon the people to protect their rights, you told the people to be quiet. I repeat, this reminds me of *the Divan*. I cannot reconcile it with your duty, with your character. I must put it more plainly to you, but still be assured of the affection of your friend,

† JOHN, *Bishop of Charleston*.

LETTER II.

To Daniel O'Connell, Esq.

Charleston, S. C., July 15th, 1825.

MY DEAR FRIEND:—I assume that you knew the bill to disfranchise the forty shilling freeholders in counties would be brought

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into the British legislature if the emancipation bill were introduced; and that if the latter was enacted, so would the former. I assume that you were not only silent yourself, but that when our friend Lawless called upon the people to resist this bill, you told the people to be quiet. I assume, therefore, that you considered Catholic emancipation to be of more value than the possession of the elective franchise in the counties by forty shilling freeholders, even as they are now constituted. In thus stating the case I give you all the advantage, because I candidly believe you did say that the forty shilling franchise as now held in the counties, was an evil; and that if no emancipation were to be granted, it would be right to change the qualification. I differ with you upon two points. First, I believe the loss of the franchise would be a greater evil than would be compensated for by any species of emancipation, even simple repeal, which would be the most perfect. Secondly, I do look upon the possession of the forty shilling franchise in counties, as now it exists, to be a greater good than the modification to ten pound qualification.

The solution of the first difficulty will principally depend upon the decision regarding the second question. We will therefore take that question first. You know better than I can express, the vast difference between theory and practice. Originally the distinction, in Great Britain, between freehold, and chattel, and copyhold estate, had in it something intelligible to even a plain mind. The copyholder was a villain; the cultivator of the soil who, during a certain number of years, paid his rent for the leave to cultivate and take away the produce, was little better. Neither of those was the freeman of Magna Charta. The first was but another modification of what I see here every day amongst our coloured population. But the man who held the benefice, *during life*, and by service becoming a freeman, was the freeholder. During his life he held and used his benefice.

Long since, however, scutage was substituted for free service,—and as this scutage was a payment in money or its equivalent, the distinction between the mode of payment for the lands held by the freeholder, the copyholder, and the holder of real chattel, has vanished; thus, the premises are destroyed, and Great Britain, by one of her legal fictions, lays the foundation of her elective franchise upon an illusion, an absurdity, viz., a supposition against fact. I now ask you in sober sadness, when the law is founded in such fiction, can you reconcile the consequences of this fiction to reasonable fact? You must expect practical folly to be the consequences of such fiction. Hence, you must not look for anything reasonable in the British mode of voting. The distribution of the right to vote is capricious, the result of fiction, absurdity, and injustice.

You will be able to judge how I recollect your lessons, when you shall have read my explanation of Irish freeholds for my American friends; and laying aside the legal technicality, inform them of what is actually the state of things,—so that by their knowing exactly what an Irish freeholder is, they may be able to determine whether the disfranchisement of the forty shilling freeholder would be an evil or a benefit; to whom it would be useful, to whom it would be injurious.

In Ireland, formerly, lands were held by *tanistry*. The tanist, or chief of a clan, held all the land belonging to the clan. He distributed offices, and gave to the officers certain portions of the common stock. When the English, partly by fraud, and partly by force, got possession of the land, they abolished the customs of tanistry, and held the land from the kings of England, according to the Norman fashion. This Norman fashion, which was the feudal custom of Normandy, was introduced into England by William the Conqueror, in 1060. We have, then, to see its nature. All the land was vested in the king. He gave it in parcels to his dukes, marquises, earls, viscounts, and barons, upon the condition that each of those would do him a service becoming a man of his condition,—and so long as he or any of his heirs male could be found who would do his duty, the freehold was to vest in such males descendant; but should there be no male descendant of the original grantee capable of doing duty, the land was to revert to the king,—that is, was to be escheated or to go into his fisc or treasury, until the king should give it to another who would do that duty. The duty was such as became a man, and this was the reason that the descent was confined to the males.

Upon the abolishment of tanistry in Ireland, this feudal title was established. The possessions were generally large, and the service light; and the person holding thus was said to hold of the crown, or as in fee. Thus, holding as in fee was very different from the Anglo-Saxon allodial tenure; because the Saxon, who held by allodial tenure, was the true owner of the soil,—but the Anglo-Norman, who held as in fee, was

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in fact a tenant of the crown, and the king was the real owner of the land. These dukes or LEADERS, marquises or wardens—that is, *guardians*—of the marches, or frontier lands, earls, viscounts or lieutenants of the king's companions (*vice comites*), and barons or lesser lords, were called *pares* or equal—that is, peers. In their own right they sat together with the king in his court; they were his council. But the services required from some of them were of such a nature as to demand the united exertions of many men; and those, men of free condition. One of the principal services was that of war; and many of the warriors required were to be horsemen, *equites*, knights, with *armigers* or esquires. To insure the attendance of such persons so as to enable him to do his duty to the king, the peer divided his estate into parcels, one portion he kept for his own domain; he then had several parcels, each a knight's fee, or sufficient for the support of a knight and his proper number of esquires; their service during life, was the payment for their land. Hence, they held by free service, the land was called a benefice, they were called freeholders. But if the peer wished to have his domain cultivated, in order to furnish necessaries for his castle, *villani*, villains, who never went to war, but who, dwelling in villages, cultivated ground, were employed to do this. The peer, not caring to be troubled with looking after them, fixed with each what yearly contribution was expected from him; the villain paid this, and all that he gained over this was his own. Sometimes a bargain was made with the villain for a certain number of years, and at the expiration of this term, his lease having been run out, he had no claim to a renewal; sometimes the sum was fixed, and to continue so, each party being bound for a certain number of years,—but a copy of the forms to be gone through for a renewal was exhibited in the office of the seneschal or steward of the peer; and the tenant conforming to the directions of that copy, was entitled to a renewal; this was the copyholder of England. The difference between the mere villain and the copyholder consisted in this, that when the villain's term expired, he had no right of prior claim; but the copyholder had a right of preference to any other, if he conformed to the customs according to the copy: each peer made what customs he pleased, and thus the copies were always different upon different estates, sometimes different upon several parcels of the same estate.

The customs were said to be the will of the lord; and the lord's will was construed to be, whether he would or not, in conformity to the copy in the office of his seneschal, a duplicate of which the tenant held. But this could not come down later than the first of Richard I., which was fixed by common usage as the period previous to which the barrigy right of the copyholder stands good. Subsequently to this, no copyholder could establish a new claim. Thus, in Ireland, especially outside the pale, there could be no copyhold. In fact, I believe there is not, and cannot be, a copyholder in Ireland.

The other freeholder imitated the peer frequently in letting his ground, or part of it, to a villain, for a certain yearly rent. And thus we now perceive that, after some time, there were, the peer who held of the king, the knight who generally held of the peer, but sometimes of the king himself—the esquire, who generally held of the knight, though sometimes immediately of the king or of the peer. The peer was the king's hereditary counsellor; the knight and the esquire were also freeholders. Those who held as knights or esquires, held *during life*, and could not alienate their land, but could let it to be cultivated at a certain rent for one or more years. To hold and use the land *during their lives* was in them, but they had not dominion of the land. It was to them a benefice, not allodial possession. The cultivator of the soil who paid a yearly sum to the freeholder could not give a freehold title—but he might let or sell the chattel which he had, viz., a right during a certain number of years to cultivate the soil without impoverishing the freehold, and to take away all the produce when he had paid the freeholder the sum agreed upon.

After some time, the British kings preferred raising standing armies, which they paid, to calling upon the peers to furnish men—and commuted the service by men into a service by money; and the peers also got from the knights and esquires, money instead of service. Thus, all land held by deed for one or more lives is freehold, but no land held for a term of years is freehold; for the man who holds by copy, or for a term of years, is still considered as a villain. His property, even if it should amount to £50,000 per annum, is chattel,—but a freeholder has a more honourable tenure. The right of voting was, in feudal times, confined, so far as regarded landed property, to the freeholder, and so it continues. We have, my friend, often spoken of the folly and the absurdity of this custom. But we shall soon see some of its cruel injustice.

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In process of time the great landed proprietors leased out the principal portion of their land for rents in money. A peer who held perhaps forty thousand acres, kept one thousand for his demesne: his tenants occupied the remaining thirty-nine thousand acres. Much of this was leased out to rich persons, who, when the peer wanted money, gave him a considerable fine, and were charged with only a low rent. If the person who paid the fine desired, as he generally did, to have a freehold, he got a title during lives, renewable for ever, upon the payment of a trifling sum at each renewal. This was equivalent to a perpetuity, but it left the property vested in the peer, and gave a perpetual benefice to the tenant, who always had, by virtue of his covenant, an indefeasible claim to the renewal upon the performance of the original stipulation. Thus the quantity of freehold property in Ireland would have been immense had there been no check put to its acquisition, because almost all the land had been confiscated and granted, as in fee simple, to new possessors subsequently to this change of service into rent: and persons taking from those who held as in fee simple, would have preferred a freehold to a chattel interest. Besides several advantages in a pecuniary point of view, the right to vote for members to serve in parliament, and at the election of coroners, was attached thereto. You know, however, the manner in which Catholics were prevented from obtaining their fair share of this species of property; this I shall afterwards examine.

After some time freeholders were classed according to the value of their freeholds. 1. Those who had an interest worth fifty pounds a year and upwards. 2. Those who possessed an interest of twenty pounds a year, but less than fifty. 3. Those who possessed an interest of forty shillings, but not twenty pounds yearly. To these were to be added rent-chargers, that is, persons who, by a covenant, were entitled to claim a sum of money, yearly, from a freehold during a life or lives: for this too was a benefice, the claim must be upon the freehold not upon the freeholder; and the amount of the rent-charge must be deducted from the value of the freehold, and the other charges to which it is liable must be subtracted before the freehold can be rated and classed. The law finally regulated that no rent-charger could vote except he possessed, at least, a claim for twenty pounds yearly; and no freeholder, except he had a clear yearly interest of forty shillings at the least, above all charges payable out of his freehold; it also required that he should produce his title in an open court of magistrates once in seven years, and that the rent-charger should produce his title in like manner, and the freeholder make affidavit of the nature of his mode of tenure, whether by dwelling upon, by tilling, or by grazing, and that he did not procure his title fraudulently, nor in exchange for a freehold in any other county. The clerk of the court indorsed the deed so produced, and registered it, and the freeholder was not permitted to vote until after the expiration of twelve months, and he was then liable to be examined upon oath as to all the facts and the continuance of their truth, and as to his not having been bribed or led to expect any reward for his vote. Neither the twenty nor fifty pound freeholders were required to produce their title-deeds, but the former should renew their registry once in seven years. They could also vote in six months after registry. You and every man who knows Ireland, knows and laments that many of the forty-shilling freeholders are manufactured for elections and brought up to register without getting possession of their title-deeds: the landlord's agent takes good care to pay the fees, and to take up certificates, and exhibit title-deeds and all other documents, which he then keeps, and hurries those creatures through complex affidavits which they do not understand, and drives them up, in like manner, to vote for they know not whom. You complain of this as an evil, and think it would serve the cause of morality and of liberty to make the qualification ten pounds, instead of forty shillings. Perhaps you are right, but I believe you are not. The question is twofold: first, as regards morality; next, as regards the purity of representation. You must forgive me for the profanation of the phrase, I shall examine this question in my next. Meantime I shall conclude this letter with describing to my American friends a scene to which I was witness on one of those days of registry.

Several forty-shilling freeholders had consulted me, and I was examining their titles to know if they could, with a safe conscience, take the registry oath. Next came on the Catholic's oath of allegiance, which I had no difficulty to tell them might be taken by every Catholic who desired to maintain the constitution and uphold the king upon the throne. I observed one man, rather aged, who looked a little serious as the clerk proceeded to read that part of the oath which abjures the king-killing doctrine; which asserts that the Pope's infallibility is not an article of faith; that no man is bound to perform a wicked act, though command-

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ed by the church; that no man can be forgiven his sins by any pope or priest, at the mere will of such pope or priest, but that contrition and restitution are absolutely required: the first for all sinners, the last for those who have been dishonest. Here he looked quite religious and sentimental; at the conclusion he made the sign of the cross, and took the oath, and held the pen for his signature, with great reverence, bent his knee to the justices, and bowed to the clerks. A friend of his asked him what he thought of the place—"I never was in a court before," said he, "and always feared to come, because I was told it was the devil's house, and that all the lawyers were his children; that the judges were great, but very bad men, sent by the king to hang and transport Catholics whenever they could find any law for it, but to let all the Protestants go free, whatever they might have done. But I find it was all my mistake; a court is just as good a place as the chapel: and I cannot observe any difference in the sermons you will get here and from Father B——, except the difference between English and Irish, and between reading from a parchment and speaking without it. God Almighty bless that fine looking gentleman over; 'tis very well his gray head becomes him; why I am sure they told me he was a Protestant; but this too must be a mistake, because he told me how to go to confession and to mind the priest, and the Pope, and the bishop; but the bishop himself never told us better things about confession, and absolution, and contrition, and satisfaction; and the justices took care the sermon should do me good, for they bid him watch to see whether I would kiss the book."

I was greatly struck at the number of mistakes which the poor man made, yet he actually spoke as he thought. Two things only he knew plainly: that by swearing the oath of allegiance he bound himself to be loyal, and that his loyalty to a Protestant king was not incompatible with his faith as a Roman Catholic. In my next I shall show how many other mistakes might be as innocently made by men of this description. Meantime

I remain your sincere friend.

†JOHN, *Bishop of Charleston.*

LETTER III.

To Daniel O'Connell, Esq.

Charleston, S. C., July 22d, 1825.

MY DEAR FRIEND:—You would not convict of perjury the poor man who mistook for a sermon the abjuration of the calumnies with which we are assailed, and three good Justices of the county of the city of Cork for Roman Catholics, and the respectable clerk of the peace for a preacher; and a Roman Catholic preacher too. Now I ask you which of the two is a plainer oath: the oath of the Catholic's allegiance together with its appendant declarations, or the oath of a forty-shilling freeholder? I fear you will find by my last letter that I have not done my teacher much credit by my exhibition: I was a forty-shilling freeholder—I believe I knew as much as most of the same class of electors respecting the nature of my title to register and to vote—yet this oath was really one of terror, and of complexity: if I recollect rightly there were not less than a dozen different propositions to be distinctly sworn to by a forty-shilling freeholder, and I have more than once found the gentlemen of the long robe seriously puzzled to make out the exact meaning of some of the passages. I recollect the words of one part of the oath, "nor have I procured it (the freehold) fraudulently, nor has it been granted fraudulently *to me*," in some few of the printed affidavits, by a mistake of the corrector of the press, the words *to me* were omitted; a contested election came on in 1812; the candidate for whom I voted, lost his seat by a deficit of 30 votes. But had those defective affidavits been admitted he would, I believe, have been the sitting member. A very protracted debate took place before the assessor of the returning officer, in which it was contended, that all the grants, and of course the grant to *the occupant*, were *procured by the grantee*, that if it was not procured by him fraudulently, it could not have been granted fraudulently *to him* by the grantor: yet the decision was against us; and I am disposed to say correctly and legally. I ask how is it possible to teach all the technical legal distinctions of this affidavit to the general body of small farmers and labourers, who are county freeholders? I have doubts but its expressions would puzzle Sir William Curtis, or even a Dublin alderman, whom it would be at least petit-treason to disfranchise.

The complexity of the oath might give a well-trained, acute lawyer more exact ideas of the precise qualification; but it operates quite in a different way with the general body of the people: the multiplicity of terms, and their legal precision, creates a difficulty of arriving at the precise meaning. Thus, a great many persons take the oath with a general impression of their right to

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do so, but without a special knowledge of the exact foundation of that right. Far be it from me to countenance loose swearing, but equally far be it from me to assert that all who swear thus are corrupt perjurers! Many persons who swear thus hope they are right, but fear they are wrong, and with the instinctive sagacity of their character, and in full accordance with nature, when questioned by others in an ambiguous manner, they will quibble to protect themselves; their fears increase, and they will perhaps endeavour to escape the imputation of perjury by the commission of falsehood. This is a lamentable state of things, but it is not extensive and deliberate, corrupt, wilful perjury. A great remedy would be, making the expressions less complex; a man would then know what he was called upon to swear.

Now, my friend, let me remind you of another circumstance, which will operate greatly in favour of the freeholders' integrity. Thousands of the forty-shilling freeholders who scarcely, if at all, understand English, are sworn through the medium of an interpreter; their language is not that of Lord Chatham, it is the remnant of an older and once a richer tongue, though we trace now but the indistinct shade of where two centuries since a deep shadow was distinctly marked; it is still abundantly sufficient for all the business of your peasantry, the lively repartee of their pungent wit, such as the peasantry of no other nation had. And that peasantry enslaved. It is, and I know it, fully adequate to the most glowing description, the most clear elucidation and the most pathetic appeals of religion. The harp can even now with its torn strings swell the terrific commands of the God of Sinai, louder than the pealing burst, which rolled in thunder round the summit of the awful mount, and imitate also with its soothing strains, the voice of him who told his own history, when he related the parable of the good Samaritan. Yes! my friend, and well you know the truth of what I assert. It was not in Romaic that Demosthenes roused the feelings of his hearers, but perhaps a Romaic tongue now rekindles Grecian fires: it was not in Romaic that Homer sung; but perhaps some Romaic bard now feeds the sacred flame. Shall it be imputed as a crime to the Irish peasant that though stript of his franchise, he preferred the tongue of his fathers to the tongue of his oppressor, who stript him first of his lands, next of his character, then gave him the alternative of surrendering his franchise or his religion. Your ancestor and mine gave up the franchise: we regained it without injury to out religion. And will you, my friend, now——————— No! I will not write it. Still—still—you are Daniel O'Connell—I will pledge my life for your integrity. But I will not, I cannot blind my short-sighted judgment. It is imperfect: but 'tis nature to prize greatly that with which we are not too abundantly gifted. Nature will excuse my obstinate adherence to my own views, and as I love the land of my fathers, I am prompted to publish my opinion to be weighed as it deserves by those who may deign to read. Forgive me this digression. You say "the forty-shilling freeholder must be disfranchised, because he is a perjurer." How many chances are there of mistake in the complex nature of his affidavit: in his ignorance of the origin and nature of freehold right, and why it is privileged over chattel interest: in the medium through which he is sworn; an interpreter who understands one language imperfectly, and speaks the other worse, a sort of hedge-attorney perhaps, who might know how to get through the common routine of sessions' practice by his knowledge of law as a trade; though ignorant of it as a science? The peasant knows that he has a deed, conveying to him ground at a reduced rent. Like the woman in the Eastern tale, who was to spurn the Caliph from her feet, after she would have realized an immense fortune from her basket of glass, by multiplied sales and increasing profits, his imagination anticipates the mighty profits arising from an acre of potato ground, half an acre of wheat, half an acre of oats, a patch of flax, and the cabin. In the moment of this reverie, you would as soon lead him to swear *bona fide* that it was worth ten pounds yearly, as that it was worth forty shillings.

The landlord when inducing him to register, is kind and indulgent, grants the leave of the bog for cutting turf, the use of a horse to assist in ploughing, and does a thousand acts of civility which are all worth at least five pounds yearly to him, should they be continued, as he hopes they would. You or I would not, perhaps, believe he has an interest in it. His state is deplorable, but he is not a corrupt perjurer. He is urged to register by his landlord, by the attorney, and by his own feelings. He persuades himself that he is fully qualified.

But I have given you the advantage hitherto. I must begin to make some entries upon the other side of the book. There is a great host of forty shilling freeholders in the towns which are in those counties; generally speaking, they are intelligent and patriotic; they know the rights

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and duties of freeholders, and they love their country; they could not be ten pound freeholders, not for want of property, but for want of freehold. They have abundance of chattel, but very little freehold. Allow me to enumerate: there are thirty-two counties in Ireland: in these, there are, if I recollect rightly, but five cities which would retain, by the intended bill, the qualification of forty shilling freeholders to vote. Those cities would soon lose it by analogy, if they would not lose it by trick, upon the third reading. In those counties, there are several large towns containing from five thousand to twenty thousand inhabitants each. All the forty shilling freeholders in those towns, containing, perhaps, nearly a million of souls, are to be disfranchised because of perjury and corruption. I assert that, as a general proposition, there is no perjury in those towns. I write from my own knowledge of several of them, and I assert that I have never known a better or more honest class of independent voters than the men whom this bill would disfranchise in those towns. Look to the registry of the county of Cork, and see how many of the honest and incorruptible men of the Cove of Cork would be disfranchised. Mallow was considered not to be sunk to the level of corruption and perjury; Youghall boasted of some honest men; Bantry was not sunk to a degraded state; Kinsale had some independent small freeholders, and I should be sorry to think Bandon is worse than when I lived in it. I have not gone through one-fourth of the towns of this one county, and there was no question but the county of Cork is one of the most degraded in Ireland in its representation; but that belongs to a future letter. I now examine only the question of perjury and demoralization. There was much, but it was not so extensive as to require disfranchisement. In England, they would not disfranchise a rotten borough, every man of which was proved to be corrupt and degraded. We shall hereafter see why the British Parliament is so well disposed to protect Irish purity. Is that parliament itself very free from perjury and corruption. I recollect one of its most upright and conscientious members, whom you well know, being in conversation with me upon the subject of your claims. I asked him whether, as a good Protestant, he did not think it would be meritorious to induce us to lay aside our idolatry. "Why," said he, "we do not believe you to be idolaters." "But," I replied, "you swear it." "Pugh, pugh," said he, "you must not think that we believe it, though we swear it; the oath is a mere form which must be gone through, to take our seats." "Let me understand you," said I; "then, though every member of the House of Commons swears that we are idolaters, no one of them believes what he swears to be the fact." "Why you put it too plainly," said he; "it will sound better, and indeed be correct, if you say we must go through the form of the oath before we can take our seats." "And," said I, "the Lords must go through the same form?" "Yes." "The bishops are not exempt?" said I. "No," said he, "the bishops all go through the form." "Do the bishops believe us to be idolaters?" I asked. "No, no, you wrong them," said he; "some of them, perhaps two out of forty-three, are liberal men; and I do not believe that one of the others really looks upon you to be an idolater." Thus, my friend, we have a British bench of bishops, who go through a form of oath which they do not believe to be true; noble lords, who swear what they do not believe to be true; and a house of commons, which swears against its conviction; all shocked at a few mistakes, and some perjury of your poor wretched forty shilling freeholders, in registering their freeholds, and in giving their votes; and though Grampound and old Sarum would give godly men to this pure legislature, the great bulk of the Irish counties must be disfranchised for the mistakes of one in ten, and the perjury and corruption of one in twenty of their voters. In which eye is the beam? I look upon you to have been honest. How can I look upon the men who have corrupted their tenants, and forced the perjury upon them to be so? When I hear the friends of the ministry crying out against perjury and corruption of electors, it reminds me of the sailor, and the preacher who threatened to denounce the crew to God, as violators of his law. "My eyes," said the tar, "but it is always the greatest rogue becomes king's evidence."

Some of the forty shilling freeholders are guilty of corrupt perjury, certainly the great minority; therefore all the forty shilling freeholders ought to be disfranchised. The British Parliament, bishops, lay-lords, and commons, all "go through a form of oath," of which they do not believe the contents to be true; therefore, as guardians of morality, and as men whose ears tingle at the very echo of the sound of perjury, they ought to punish those corrupt freeholders whom they have themselves corrupted, and the honest freeholders, who would not be corrupted by them. You and I were punished by those people, because we would not swear against our consciences. They

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told us that we were punished because we were not credible upon oath; their irony was cruel calumny, accompanied by heartless persecution. I need not advise you against persecution, for you are no bigot; but I do advise you against irony. The Parliament of Great Britain knows that its members are all obliged to swear what few or none of them believe, and this not in one, but in a dozen propositions. Do not then insult them by saying, that they ought to disfranchise a political body, only a vast minority of which is corrupt, a majority of which, I fearlessly say, is honest. Such disqualification might have another bad effect. It might tend to encourage perjury, because, upon a knowledge of facts, the poor people would perhaps imagine that the British Parliament had despoiled them of their rights, because there was not a sufficient proportion of the constituents assimilated to the representatives, in their mode of going through the form of a political oath. Upon an abstract view of the proposal, I would say, "Do what you can to put a stop to corruption and to perjury." But, viewing things as they really are in Ireland, I say, "It is cruel injustice to disfranchise the Irish Catholic, whilst the English Protestant, equally guilty, nay, more guilty, for the British boroughs which are more corrupt than the Irish counties, are left unpunished. I will clearly show, before I finish these letters, that the correct view of this case is what I here exhibit.

Thus, I say, the perjury and corruption which, it is pretended, call for the disfranchisement, do not exist to the extent assumed; and if their existence demands the destruction of the rights of the Irish freeholder, the same cause calls for the disfranchisement of the English electors of the Irish freeman in cities, and of the pure British Parliament; and much more cause exists in each of those latter cases, than in the former. I assert, therefore, that perjury and corruption of the forty shilling freeholder is not the cause, but the pretext for depriving him of his franchise. "I am called a robber," said the unfortunate captive of the Macedonian king, "because I can command only one small ship: but you are called a conqueror, because your spoliations are more extensive, and your means of mischief greater." There is more perjury, more venality, more corruption in your parliament, in your bloated corporations, in your large freeholders, and in your miserable little protected sinks of malevolent bigotry, your small Orange freemen, in a tenfold ratio of their numbers, than in the forty shilling freeholders. If then hatred of corruption, detestation of perjury, and love of integrity, be the motives of the destroyers of franchise, why not begin where the evil is most palpable and most desperate? I know you would, if you could. This attack upon the forty shilling freeholder did not originate with you; but you ought to have withstood it. You ought to have acted as Lawless did.

But, would not raising the qualification to ten pounds, put a stop to this evil, or at least diminish it? No: I do not think it would. You are fully aware that the men who would manufacture a forty shilling freeholder, would be as well disposed to manufacture one of ten pounds; and the man who would be corrupt enough to swear against the fact that he had the value of a shilling, which he had not, would be disposed to swear the same to any amount. The perjury and the corruption do not consist in the sum, but in the disposition. The only effect would be, to diminish the number of honest votes, and to diminish the whole number of voters. The proportion of honest men who would be disfranchised would be greater than that of knaves who would be kept away. This is not mere speculation.

Previous to 1793, when the elective franchise was restored to Catholics, none of the upright, conscientious Catholics could vote; but, as I am informed, a large portion of the offscouring and dregs of the body always were employed to personate Protestant freeholders, and I am told that any corruption which was known since, was purity compared to the profligacy of the preceding period. I have a very faint recollection of a contested election in the county of Cork before 1793; I recollect only two circumstances. I saw the successful candidates chaired, and I shall never forget the public and continued exclamations against the perjury, corruption, and profligacy of the agents and pretended freeholders. I have since then witnessed what was said to be the worst species of malpractices used at elections; and I uniformly heard all those who were older than me say, that they were not in any way an approximation to the corruption and crime which was usual before the restoration of their rights to Catholic forty shilling freeholders. Thus, as far as the examination of principle and of fact, and the comparison of what now is, with what was before 1793, can lead me, I am decidedly of opinion, that changing the freeholder's lowest qualification to ten pounds, would not benefit the cause of morality. I have no doubt that such benefit was not amongst the objects of those who proposed it. I shall endeavour, in my next, to show

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that it would be most detrimental to civil and religious liberty in Ireland.

Believe me to be, my dear friend,

Yours, very sincerely,

† JOHN, *Bishop of Charleston.*

LETTER IV.

To Daniel O'Connell, Esq.

Charleston, S. C., July 30th, 1825.

MY DEAR FRIEND:—Since the date of my last letter, I have had a considerable addition to my news from your side of the Atlantic. Indeed, I know not whether I am more mortified or gratified by the contents of the large packet which lies before me. Your conduct has disappointed me. But the principles upon which you and I used to agree, and which I would still hope you entertain, are ably vindicated against yourself. I thought that you and I were more assimilated in our opinions respecting freeholders, than Mr. Hutchinson was to one of his humble constituents, yet he has defended the rights of the forty shilling freeholders, but you told the people not to defend themselves. I feared Mr. Brougham did not know Ireland well enough to have been able to attempt her protection as he has firmly done. I have not been disappointed in Sir Francis Burdett. He does not know Ireland, he could not know it, though he travelled through it. Yes! just as some of your travellers hurry through a few of our states, at this side of the world, and then perhaps innocently belie us to Europe, actually thinking they know what they have had no opportunity of knowing. When Sir Francis Burdett travelled through Ireland, I was a parish priest in that country, and I know well his informants. I thought he might desire to know the state of the country, but I saw that he *could not*—the why, it boots not now to state. I therefore then did, and do now consider his hunt through Ireland, amused as he was by a piper, and misled as to who were the ancient owners of the castles of Kerry, to have been a serious evil. Instead of acquiring any knowledge, he perhaps "had a sack thrown over his head," and left poorer respecting correct information than he was upon his landing. Mr. Plunket, I always thought would act as he is acting. But, you,—you, who in your examination before the committee, said such fine things about the benefit of a vote to a forty shilling freeholder—you, who upon the principles of civil liberty, professed yourself opposed to any new encroachments by the executive and favourable to the extension of the rights of people! I am astonished. But, you think ten pound freeholders will better secure popular rights. I am glad to be spared the pain, the mortification of arguing *against you* this question upon general principles. That has been well and ably done by Mr. Ensor, and by others. I am happy also to be relieved for the same reason from contrasting yourself with yourself, that you, *out of the Divan*, might refute yourself *in the Divan*. I know well the freeholders in what is called their most degraded state, and I shall answer you by facts, and as briefly as I can.

The jet of the objection is, that the poor freeholders are, in fact, but the slaves of their landlords, and have no will of their own. That in reality the large proprietors can make them vote as they please, and that permitting the continuance of such miserable shadows of freemen is a delusion, that it is destructive of civil liberty, for it enables large proprietors to make bargains for those men's votes, and thus a few rich men and not the people, will be the electors, and those few rich men are easily bought over, and thus the middling and substantial voters are overpowered, and able to do nothing.

The objection assumes. 1. That the forty shilling freeholders have no will of their own. 2. That the freeholders of high qualifications have their will more independent, and would be less likely to obey their landlords. I shall dispose of those two suppositions before I take the other assumptions of the objection. In your own evidence, given upon oath, you are stated to have said that the forty shilling freeholder was to be *courted* for his vote. Men, who have no will of their own, need not be *courted*. In plain fact they are *courted*, and you know a landlord in Ireland, seldom *courts* where he can command. What say you to the county of Dublin? Had the forty shilling freeholders in that county a will of their own? You may call some cases of this sort exceptions; I assert they are not. And I presume to say that I know as much of the nature of their will as you do, and more of it than almost any man whose evidence, as taken before the committee, has appeared on the papers. I know more of it than does Anthony Richard Blake, Esq., chief remembrancer of his Majesty's Court of Exchequer in Ireland, who, being sworn and asked, "Are you a Roman Catholic?" answered, "I am," and amongst other very strange answers, gave the following.

"Have you ever considered what amount of qualification for the exercise of the elective franchise would suit the present state of Ireland?—

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I am speaking entirely with reference to the leaseholders; and speaking with regard to leaseholders, I may, perhaps, be considered too aristocratical in my notion, but I should say the qualification ought to be to the extent of twenty pounds a year.

"Do you think, generally speaking, that the forty shilling freeholders exercise any free choice at elections?—My opinion is, that they have none.

"How do you think they are controlled?—I believe they are controlled either by an absolute landlord, or by the sort of interference through religious feelings which I have already mentioned.

"Can you state to the committee, the kind of control that is exercised over those forty shilling freeholders, so as to command their votes?—I can speak only from hearsay; the landlord, of course, has the power of distress; the priest or other partisan may act upon their religious feelings or prejudices.

"Do you think a considerable outcry would be raised in Ireland, if it was proposed to raise the qualification of forty shilling freeholders?—If the forty shilling freeholders were persons of independent property, exercising through their property a free choice, I think it would produce a very serious outcry; but I do not think they are persons of a description likely to have much feeling upon the subject.

"From your experience, are you able to say whether the feeling of the great body of the lower orders of the people, is strong and keen upon the subject of what is generally called the Catholic Question?—I believe it to be so; I do not think I ever spoke to a Roman Catholic, high or low, that did not betray something like irritation upon the subject.

"Do the committee understand you rightly to say, that the existence of Roman Catholic disqualification is a common grievance, which enables the priests to exercise an influence at an election?—It creates a feeling of discontent, of a religious nature, through which feeling the priest is enabled powerfully to act at elections; he is enabled to say to them, for instance, this man is against your religion, this man is for your religion; I am told, he has said so.

"You conceive, that by removing the Roman Catholic disqualification, you would deprive the priest of that power?—I do not think I should entirely; I should lessen the temptation to the exercise of it, and I should diminish the power also, by setting at rest the Catholic Question, and raising the qualification from forty shillings to twenty pounds a year, or to such sum at least as would raise the class of freeholders entitled to vote, so as to render them, in some degree, persons of intelligence and property, likely to have a will of their own.

"Would not the exclusion of all freeholders under £20 a year, exclude a great number of persons who have considerable capital on their farms?—I do not think it would.

"The committee understand you to state, that in cases in which persons swear to forty shilling freeholds, they have, in many instances, little interest, if any, in the lands; do not you conceive that even in the case of £20 freeholds, persons might swear to those freeholds, who had a very inferior interest in the lands than that?—I do not think they would; I think common decency and shame, and the obvious means of instant detection, would operate to prevent it; a man who comes to swear to £20, must have some property in his hands.

"A man in Ireland, who would have an interest of twenty pounds, is of a totally different class from the forty shilling freeholder?—Yes.

"Would it not, in your apprehension, exclude in towns a considerable number of persons who are householders, who have not an interest above the rent they pay for their houses, to the amount of twenty pounds?—I have already stated, that I do not mean my observation to apply to towns.

"Are you not aware that a great number of forty shilling freeholders, who exercise the right of franchise in Ireland, are not of so respectable a class as voters from towns?—I consider the mass to be mere rabble."

This same aristocratical Mr. Anthony Richard Blake, would be satisfied to have the half a million of forty shilling freeholders destroyed, and their successors for ever disfranchised, to afford himself and a few more aristocrats an opportunity of going into Parliament or getting upon the bench.—Yes! read his answer.

"Do you believe that those measures which you have stated as likely to be beneficial with respect to the raising the qualification of voters, ought not to be considered as completely dependent upon being combined with their complete emancipation; that is, do you conceive that the raising the qualifications, and depriving, of course, the forty shilling freeholder of his right, could be effected without occasioning the most serious discontent, unless it were accompanied with the other measure you have suggested?—I have already, I think, stated an opinion, which must be considered as an answer in the affirmative to that question; at the same time, I should wish to understand what is meant by emancipation, in the question now put. If by emancipation is meant the universal removal of all disabilities, my opinion does not go to that extent; but it does go to the extent of representation in Parliament, and admission to the bench. I do not think, that if representation in Parliament were conceded, and the bench were open, that there would be much objection to some extent of exclusion from political office; the other exclusions, from Parliament and the bench, are the exclusions particularly felt."

Now, I assert that you have always deceived me and deceived the people, if this was your notion of emancipation. If I know you, you would heartily join with me and with the people, in keeping Anthony Richard Blake, Esq., off the bench and out of the House of Commons. I would prefer old Judge Downes for the first, and Master Ellis for the last. I know the people well: nineteen twentieths of the Irish Catholics would carry the Protestant Judge, Fletcher, to the bench, and the Protestant Christopher Hely Hutchinson to the House, and leave Anthony Richard Blake, Esq., leisure enough

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to obtain from heaven by his religious exercises more patriotism, and by his mixing with the rabble, if he could stoop so low, a little more knowledge of facts. But Mr. Blake says in another place, when asked—

"Supposing a lessor pays to his landlord a rent of £5 a year, he ought to be able to get out of that property a rent of £7 a year, in order to give him a forty shilling interest in it?—Certainly.

"Do you believe that that is generally the case with respect to the lower class of freeholders?—I believe quite the contrary. In general they pay what is originally a rack-rent for the land, then they build mud huts upon it, and if they make out of the land a profit of forty shillings a year, a profit produced by the sweat of their brow, they reconcile themselves to swear that they have an interest in it to the extent of forty shillings a year, whereas the gain is produced not through an interest in the land, but through their labour.

"So that, in point of fact, when their interest comes to be examined by this test, it is not an interest *bona fide* of forty shillings a year?—Quite the contrary; I referred in a former part of my evidence, to cases that were before me upon receivers' accounts in Ireland; I found frequently, that a great mass of tenants who were in arrear, in consequence of holding at exorbitant rates, had sworn to forty shilling freeholds."

One word as to this, to show that here there was not perjury. During the war, all the lands in Ireland rose to an enormous rate of rent, and during that period, they were actually worth that rate. After the peace the value of land fell: most of those freeholders took at war prices, because they could not take before the war: the war commenced in 1793; and it was only in that year they were permitted to become freeholders, therefore it was impossible for them to become freeholders, except under war rents; the war rents were high, the value of the produce was high, the tenant took at five pounds, he improved, prices progressed, his freehold became worth double its rent, he could not register at twenty pounds, which would be four times the value of his freehold, but he could, at double the value, and he did at seven pounds, when it was worth ten, that is, he swore that it was at least worth less than half what it was really worth. Was this perjury? "Yes, it was," says Anthony Richard Blake, "because the man ought to be a prophet and to foresee, that all the lands would decrease in value, when no person imagined they would, and, being one of the rabble, he ought not to register what was then a fact, lest at a future period, in the vicissitude of human affairs, what then was a *bona fide* interest, might become an incumbrance. And I, Anthony Richard Blake, do really find that several, who had forty shilling freeholds, ceased to have them." But the law provided already for this case, for the man was liable to be sworn when he came to vote, and asked, "Is your freehold *still worth* 40*s*. above all charges payable out of the same?" and he lost his franchise if he could not so swear. Mr. Anthony Richard Blake, says he was a perjurer: I say he was not, and my proof is this; for the men consulted me, and I always asked them, if a good solvent tenant offered them what they paid and 40*s*. more, they would, upon their oath, think he offered more than the value of the place? And such was the question uniformly put by every clergyman whom they consulted: if they answered that they had no doubt but it was less than the value we told them they might register, if their deeds were legally valid. If they doubted, we told them not to register. Rogues generally do not, when they mean to commit a perjury, consult a priest whether they ought to swear. Our parishioners of a certain class, supposed we knew more of the nature of the oaths of freeholders than they did, and perhaps some might have been found amongst us, who knew it as well as did Anthony Richard Blake, Esq., we therefore took the very method which he presumes to say we did not. And when it came to the point of an election, several who had certificates of registry, and whose votes would have been received legally and easily, came to inform us that they could not conscientiously vote, because by the change of times they in fact had no interest. My heart is indeed smitten when I find a Catholic aristocrat, who evidently never knew, and cannot appreciate those good, honest, valuable men, attribute to their perjury an effect produced by the vicissitude of the times. There is no perjury in this. It is not want of honesty on their part; it is want of knowledge on the part of Mr. Blake, that has caused this most erroneous charge upon my poor maligned countrymen. * * *

I am straying from my subject. But perhaps it is as well.—Does Anthony Richard Blake, Esq., ever remember finding a fifty or a twenty pound freeholder in arrear? If he does not, I do, and I assert that in those places which came under my observation, the number of broken freeholders of this class was greater in proportion than that of the rabble.

Mr. Blake's object is that of the superlative friends, Mr. Canning and Mr. Plunkett, &c. And he honestly avows it: to bribe the Catholic aristocrats, with the chance of a place upon the bench, and a place in St. Stephen's, to be aided by them in keeping

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down the Irish rabble, and metamorphosing one of the best, and purest, and most patriotic portions of the clergy of the Catholic Church into the hirelings of a political oligarchy, noted through the world for its powerful and systematic corruption, and practical persecution.

"Can you state what effect the plan of raising the qualification would have upon the Protestant interest of the country?—I think the Protestants constitute, to a very considerable extent, the landed proprietary interest of Ireland; and therefore, in proportion as you increase the power of the proprietary interest, and diminish the power of mere numbers without property, you strengthen the Protestant interest."

Mr. Blake gave what he testified only upon hearsay, and as he says in another place, I am told he has said so, and from the fact that the 40*s*. rabble were in arrears when they only got peace-prices for the produce of lands which they took at warrents. I write and testify from my intimacy with the 40*s*. rabble, of whom I was one, and I tell Mr. Blake, through you, and I shall soon prove that this rabble had more will of its own than the £20 and £50 aristocrats had, and that upon the score of Mr. Blake's criterion of independence, the would-be aristocrats being more involved in arrears than the 40*s*. rabble, had less will of their own. All this I knew. I shall not forget the chief remembrancer of his majesty's exchequer in Ireland, when I come to treat of the Irish priests.

I come next to Hugh O'Connor, Esq., another wealthy Catholic, whom I have always heard spoken of with great respect. I am more competent than he is to say what 40*s*. freeholders are, and what effect their disfranchisement would produce.—His examination:

"Have you ever attended a county election in Ireland?—I have, but I believe only once; it is possible that I may have been at a county election twice, but then it was only for half an hour or so; but I did once attend for one or two days.—Where was that?—In the county of Dublin.—What description of persons, in point of property and station, are the forty shilling freeholders whom you then saw vote, and whom you have seen vote on other occasions?—I took myself, from what I saw, some feeling of objection to the forty shilling freeholders; I rather lamented that there were that description of freeholders.—Do you think they are in a station of life which gives any security to the public of a fair and independent exercise of their franchise?—I think that they are not in that station of life that gives such security.—In the event of a bill being carried for the emancipation of the Catholics, as it is termed; do you conceive that it would be desirable to make any alteration in the present qualifications of the freeholders?—Very desirable, as it strikes me.—Do you conceive that such an alteration would be acceptable to the Catholics, if it formed part of a general measure of emancipation?—It seems to me that Catholic emancipation would be so great a boon, that I should think it would be acceptable.

"Should you, as a proprietor, think your own power and influence diminished, by having the elective franchise raised from forty shillings to twenty pounds a year?—My own power would not; for I have not turned my mind at all to political subjects; I have not even registered my own vote in the county in which I have an estate. My residence in Ireland is confined to Dublin. I have not seen that estate these ten years."

Now, my friend, it is plain that Mr. O'Connor is like many of our good folks, who would sooner speak upon a subject with which he is totally unacquainted, than take any trouble in political affairs. Mr. O'Connor, a leading, a wealthy, a respectable Catholic, looks for the votes of members of the House of Commons, and he who could give many votes, does not give one vote to return men who would protect their constituents. It is the apathy of Catholics, who, during ten years or more could make several good and legal votes, and did not, that causes the Irish members to vote for the Orangemen, who have votes, rather than for the Catholic who could have votes, but on the day of election is a cipher in politics, though able to purchase half a county with his bank notes. How can we be astonished at Mr. O'Connor's strange notions, upon a subject of which he knows nothing, only that he felt an objection to forty shilling freeholders? I do not mean to insinuate anything disrespectful to Mr. O'Connor, but it was natural that he should be a little mortified at seeing those poor men so far below him in wealth, so high above him in political importance. I suppose Mr. O'Connor, attended at the county of Dublin election to give his aid and countenance to the cause of the candidate who was favourable to Catholics, and when the poor freeholders procured the success of that candidate, Mr. O'Connor would disfranchise them as a token of his gratitude!

But the extraordinary contradictions of Mr. Shiel have been to me matter of melancholy amusement. In his examination he was caught and sifted, and his endeavours to exhibit the peasantry of Ireland sufficiently acute to reason with accuracy, and stupid enough not to be able to apply the reasoning, shows me that though he might make better verses than I could, and paint his pictures to the mind's eye, as well as Barry did to the eye of the body, yet some few amongst us who have *less imagination*, probably are better acquainted with plain facts.

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I have been during eight years intimately acquainted with the manner in which the freeholders of the county of the city of Cork, were influenced. I was not only one amongst them, but I aided in organizing them; that is, in registering them after their titles had been examined; and in consulting with them for whom we would vote; I pledge myself to the assertion, that if I attempted to dictate, I would be disobeyed by those whom I would thus have insulted; they were kind enough to place confidence in me, and when the day of trial came, they did, not only unhesitatingly, but cheerfully, as I desired, not because they found that I always acted as had been determined upon, and that I never betrayed either their principle, or their confidence. Did I but once attempt to substitute my will for the decision of their committee, I would never be able to regain their confidence.—I executed what they had determined, our consultation was secret, its result was confined to as few as possible, and I got the credit of being a powerful despot, where in fact I was but a successful agent. In this way, I knew what the freeholders were, and I do know that not a man of them would vote until his understanding had been satisfied, and his choice exerted; generally speaking, every man of them had a will of his own; some of them often reasoned thus:—there are three candidates for two places—my principle causes me to prefer one, between the others I have no choice—but the success of a particular one might be an exclusion of him whom I would choose—in such a case I could not vote for him, but if I could safely vote for either of them, and that it was indifferent which; as I am a tenant of such a man, I shall place my second vote at his disposal; but I cannot give up my principle for his. This was not being without a will. The landlord made his display, and the man kept his principle—those are the men to be calumniated. But this was in the county of a city, and the new bill would not affect those men.—Yes, it was in the county of a city; the men whom I allude to were the lowest species of forty shilling freeholders, who were generally considered inferior to Mr. Blake's rabble: the forty shilling freeholders of counties at large.—I know the freeholders of the county were a better class in general than were those men whom I allude to. I shall show you why they could not act as well as those in the county of the city.—But not now.

There was in the county of the city one class whom it was very difficult to fortify against the dread of his landlord. *The little farmer of* TWENTY POUND *freehold*, just the very qualification which Mr. Blake's aristocratic notions would mark as your independent voter, who cared nothing for his landlord. I shall exhibit why he was the worst slave of all, and had least will of his own. But this I must reserve for my next.

Yours, very sincerely,

† JOHN, *Bishop of Charleston.*

LETTER V.

To Daniel O'Connell, Esq.

Charleston, S. C., August 12th, 1825.

MY DEAR FRIEND:—I now return to the subject which I left unfinished in my last letter. I showed from facts, that the forty shilling freeholder has a will of his own. I wish to show, in like manner, that, generally speaking, the twenty pound freeholder has less will of his own, is more a slave to his landlord. I promised to show this by proof from facts. I shall give, in the form of a dialogue, the substance of what I have frequently listened to. A forty shilling freeholder remonstrating with one of Mr. Blake's men who had common decency and shame, and some property in his hands, viz., a twenty pound freeholder, "a totally different class from the forty shilling freeholder."

Forty. Neighbour, why do you hold back? Why don't you come to the committee room and do as the rest of us are doing?

Twenty. 'Tis easily said; a man must consider for his family. The committee can do without me—I wish them success.

Forty. Certainly they can: and without me—but if every person gives only good wishes, there will be nobody to vote, and then we will be trodden down as they used to walk upon us before we got the freehold leases, when they used to turn us off the land, and let in the little Protestants, and the bucks,* and we were not considered worth the dirt of their shoes; the poor Protestants and the greatest rogues among ourselves, men that would swear to lies and take bribes, were then the best men in their esteem. But we now get civility sometimes, and *we are courted*, because the landlord knows the election will come about some time or another.

Twenty. Don't you know the landlord is against our committee? and do you want me to go and get my goods and stock distrained for the rent?

Forty. Surely I know as well as you do; didn't his attorney send to tell me that I owed now a whole year's rent, and that he had a mind to press me for the whole, but he supposed if I went to speak to the landlord himself at the other committee room, I could get easy terms,

* Mock freeholders who swore to what they did not possess.

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and he wanted to know what I was doing here. You don't owe more than a year's rent?

Twenty. No, nor the year's rent in full, but you know 'tis easier to make up five years of your rent than one year's rent of mine; and besides, if it comes to the worst, and that you lose your little interest, 'tis less evil to lose a small interest than a large one; 'tis easier to buy your stock than mine; if I was only a forty shilling man, I'd go to the committee as soon as you would. Forty shilling men can hold together and help one another, but 'tis not so convenient for twenty pounders to do so. Besides, what is the difference to us? The three candidates all promise to support the Catholic bill. One man is as good for that purpose as another. I must go with the landlord. But if I had only your bit of ground, I would not care so much, and if you had mine, you would leave your committee to themselves.

Forty. What makes the candidates all promise to vote now for the Catholic bill? They did not promise this the last time. That time we had only one candidate in our favour and the Orangemen laughed at us. Since then we made three times as many freeholders as we had then. I'll vote for the man that was with me when we were weak. Besides he'll not give his vote to have so much taxation on us; he won't vote for the man that let the soldiers loose upon us, since we cannot get out of the ground rent and rates, and tithes and taxes, more than its produce is worth; nor will he vote to take us from our little families because we happen to be too far from home to be within doors before the fall of the sun. Surely, you know there are some of our members worse than any Protestants, and this man and other Protestants are not to be sunk to a level with the landlord. Stay with us, he wants tenants as much as we want land.

I assure you, my friend, that I have frequently witnessed dialogues of this description, in much stronger language; and that, so far from twenty pound freeholders having a will more independent than those of forty shillings, I believe it is generally, in the counties, quite the reverse, because they have a greater stake subject to the landlord's discretionary harassing.

Now I come to your fifty pound freeholders. They are of two kinds: 1. Those who hold as in fee; with respect to them you know they are generally dependent upon the crown for many favours, and for more expectations. Their sons and brothers are in the army, in the navy, in the church, in the public offices, &c. Though in the abstract they are independent, I ask you, in fact, are they not really more the slaves of their party, or of the crown or castle, than the forty shilling freeholder is of his landlord? 2. The middlemen: are they not, more generally speaking, the greatest slaves, as being most in arrears; having heavy rents; having received some favours, and expecting others; besides cringing to be permitted to hunt, and to dine, and to shoot with their betters? There are several exceptions in each of those divisions, but I know the general statement to be correct. In the counties, my impression is, that, as time advances, the small freeholders will become more independent; and that it is the dread of this which harasses Messrs. Canning and Plunkett, &c.

The county of Cork is the worst represented that can be; yet you will tell me it has an immense registry of forty shilling freeholders, and their will and interest are opposed to the sitting members for whom many of them have voted. Therefore, you will say it is clear they have no will of their own, and that I am in error. I shall answer by facts. Mr. Ponsonby once spoke with me upon the subject; and though I made him no promise, I privately made an essay to try whether the same effect could be produced in the county, that was in the county of the city, and by the same means. I uniformly found the 40s. interest honest, and ready to act. But I found the middlemen, who ought to co-operate, not only not willing to do so, but actually opposed to any such proceeding, and this as many of them declared to me, because they were in the power of their landlords, much more than the poorer freeholders were; some of those were gentlemen whom you well know, swaggering independent gentlemen, who voted on the 3d of September, 1813, "that property was the standard of opinion," and who were then as aristocratic as Anthony Richard Blake is now. I mention but one county, because I write from my own knowledge, but I have been told and do believe that in several other counties the case was the same. I therefore assert—1. That the assumption that 40s. freeholders have no will of their own, is against the fact. 2. That the assumption that large freeholders are more independent of their landlords is against the fact. Therefore the reasoning built on such assumptions is a perfect delusion.

The fact is known from experience and all the practical reasoning leads to the conclusion, that however mean his station, however apparently dependent he may be, the humble 40s. freeholder is the least corrupt part of the constituency of Ireland. Let us view that constituency—I shall give to the American to contemplate a picture which will exhibit to him the vast superiority of his simple qualification for a voter, over the complicated machinery of Gothic and Saxon and Norman institutions, subsisting in the imperfection of the blended defects of each and the combination of all rendered more intricate by fiction, so that the mind be-

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comes bewildered, and the juggler is allowed to play with his puppets at his pleasure.

The first class of electors are the beneficed clergymen of the established church; they come in upon the tenure of the benefice during life, for the service which they are supposed to give in return is free and honourable. No man would presume to breathe a whisper that this parson is to be disfranchised, because he has no will of his own. Now, my friend, there are in Ireland, upwards of fourteen hundred voters of this class. I put the question openly: does any man in Ireland believe that two hundred of those parsons are men who vote independently? For my own part I do not believe that fifty of them do. I write it as a notorious fact, not as a charge: not as a reproach. Those gentlemen who have received their livings by presentation from lay-patrons, consider it a compliment, which as gentlemen they owe to those who presented their livings, to vote as they wish. Those who receive their livings by the gift of the crown, feel that the crown expects their votes, and also that if the court candidate will not get it, the court will give no farther promotion to the recusant, and the crown is daily purchasing the right of patronage from the proprietors, in order to increase its influence at elections.

There are eight or nine hundred other clergymen, curates and expectants, who vote with those from whom they have expectation. They are voters by virtue of their own property, or by being freemen of corporations. Now, my friend, did any person propose to disfranchise those men, though every one knows and acknowledges that not one in ten of them is an independent voter? But the aristocratic Anthony Richard Blake will say they have property, and therefore must be independent; most of the gentlemen of this last class are fifty pound and twenty pound freeholders. I care not whether a man is influenced by what he calls a gentlemanly feeling of gratitude, or by expectation of favour, or by dread of his landlord. The result is the same. He is influenced; he is not independent. Besides this, the clergymen are swayed by all the other motives which operate upon the other large freeholders. Thus, it is a notorious fact, that no person ever expects an Irish clergyman of the establishment to give an independent vote. The government, the bishop, and his patron, all exercise over him more sway than any landlord does over any freeholder. Yet it would be considered sacrilege to touch his franchise, and you would yourself be horrified at the proposal, though you did taunt my friend John Lawless for what you were graciously pleased to call his *undergrowl* in defence of my *quondam* comrades, the 40s. freeholders, whom you advised to be silent, whilst Mr. Plunkett was stripping them, as he could not incarcerate you! Was this like Daniel O'Connell?—would any quondam fellow-agitator have acted so? I do not want to strip the clergy of their votes; but if the forty shilling freeholder is to be disfranchised because he is not master of his own vote, you must *a fortiori* disfranchise upwards of two thousand parsons. Then indeed would we have a yell of "No Popery," and "church in danger."

The next class of electors which I will exhibit, is that most highly respectable division called the men of old families and large properties.

One of those esquires could register a freehold not only of fifty pounds per annum, but over twenty thousand pounds per annum; that is, my good American readers, about ninety thousand dollars a year. Surely the aristocratic Anthony Richard Blake will now triumph; for clearly this man must be a more independent voter than a 40s. freeholder, a fellow who is not worth a greater interest than nine dollars a year. He will tell you, by the common rule of proportion that the former gentleman has ten thousand times as much sense, as much knowledge, as weighty an opinion as one of the mere rabble, because "property is the standard of opinion."

But who could influence such an independent man as this? I answer that there are very many men of this description who can not be influenced by any unfair or unbecoming means. But there are several others who have less will of their own than any forty shilling freeholder has, and what enslaves their will enslaves all the others of inferior grades in proportion.

Several of those great landed proprietors have enormous rent-rolls, but trifling incomes. Money has been raised to vast amount upon bonds bearing interest by their predecessors and by themselves for various purposes—for fortunes for the females—outfits and annuities for younger brothers, and extravagant expenses. How often does it happen that in Ireland a man whose estate produces thirty thousand pounds yearly, pays away more than twenty thousand in interest? The appearance must be kept up, however, to suit the rank, and the means to insure this must be had recourse to. Government has vast patronage in the church, the bishoprics, the deaneries, and a multitude of rich benefices. Here is provision for younger sons, and for sons-in-law, but there must be a *quid pro quo:* the court

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candidate must be supported at elections. Commands in the army and navy, distinctions, governorships, embassies, secretaryships, places in the revenue, on the several public boards, inspectorships, sinecures, pensions, and all the *et ceteras*. The bench, the chairmanship of counties, the offices in the courts, the places of high sheriff, attorney and solicitor-general, law-adviser and counsel to the several boards; the physician of the forces, surgeons of hospitals, regiments, &c.; commissioners in the militia, &c. Here are several thousands of places all at the disposal of the crown. Viewing those, the large embarrassed freeholder says, "My poverty, but not my will consents." His family, his relations, his creditors who wish to fill those places, importune him. He is exposed to temptations which never assail the forty shilling freeholders. I put it to my friend O'Connell to say, if the latter is to be disfranchised, ought not the former?

You know too well the manner in which all minor offices are disposed of. Generally speaking, they are in the actual gift of the court member, who is bound to vote for the minister, in the House of Commons: and he gives them to twenty pound and occasionally forty shilling freeholders, or their relatives who will vote to send him to the House of Commons. Every person who knows Ireland, knows this to be the fact. Here is a picture for the American to contemplate! And the men who are thus returned to the honourable house unblushingly ask to disfranchise the men whom this compting influence can scarcely reach.

I shall now hazard an opinion and a conjecture. The opinion is: that so increasing the number of voters as to make the influenced portion the decided minority will be the most likely mode of destroying this corruption. Every increase of the number of voters will approximate to this desirable state. And every diminution of the number of voters will increase the power of the crown, and of its dependants. Suppose, against the fact, the forty shilling freeholders to be now equally influenced as the other electors, still increasing their number would be more likely to decrease the power of the crown, because a large body is less manageable than a small body; and the facts which we observe prove the principle. The crown can procure a return, with facility, in the small bodies; but, even if through its influence it should succeed in large bodies, it is always after a serious struggle: a landlord, too, could more easily influence twenty large freeholders who live upon his estate, than he could two hundred small freeholders. When the number of voters was small, before 1793, elections were easily managed by the crown and the proprietors of boroughs; but since then the number of voters has been gradually increasing, and the electors are not so easily managed. The crown and the great landholders find their influence greatly checked; the people at large find their consequence greatly increased. The extension of the franchise, in 1793, did more to rescue Ireland from degradation than any other act could have done; and my conjecture is, that now the crown and the great landholders have combined to narrow the right of suffrage, to check the progress of popular rights, and to endeavour to regain a portion of that domination which they have lost, and to secure what yet remains. I think I see the proof of this in the eagerness with which the aristocrats who used to oppose Catholic emancipation, rush forward to petition that emancipation might be granted upon the condition of their being delivered from an unmanageable body of electors, who will not permit them to make their bargains with government as comfortably as their fathers used, when the number of voters was less and the small body was more easily managed. Here was a tremendous water-spout rising in your course, and which would have inevitably swamped your vessel, had it poured upon her; yet you were displeased with the man, who, looking ahead, fired a gun to dissipate the portentous column; because, forsooth, the demon of the whirlwind would be displeased at the report, and tell your crew that although he had them stowed under hatches, and driven your steersmen from the helm, you still were agitating demagogues; no doubt the report of such a gun was an under-growl! Alas, poor Ireland! was it not an unpardonable offence in John Lawless, to have called your children to your protection, when orders had been issued not to utter a syllable until after the keeper should have had his hand upon you and was actually turning the screws of your manacles? And have I so far forgotten the land of my birth, and the spirit of my former associates in a very few short years, as not to have been astounded at reading that in an aggregate meeting of the Catholics of Ireland, the man who thus protected his country was received with partial hissing? But let me congratulate him upon the occurrence. In every community there will be found men whose praise is censure, and whose censure is praise—I should suspect I was a traitor to Ireland, had I been applauded by the men who shouted for the Marquis of Londonderry.

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I have been tedious upon this topic, but as the people of America did not know exactly the nature of Irish freehold tenure and mode of influence used by the crown at elections, I preferred being dull and wearisome, to one who knew the facts, to being unintelligible to one who knew them not. I hope to conclude this topic in my next. And as of you I know,

"Those best can bear reproof who merit praise."

Be assured of the sincerity with which I remain,

Your friend,
† JOHN, *Bishop of Charleston.*

LETTER VI.

To Daniel O'Connell, Esq.

Charleston, S. C., August 19th, 1825.

MY DEAR FRIEND:—I trust that it has been shown, 1. That although many of the registered forty shilling freeholders were manufactured, still the vast majority of them were, and are, *bona fide* freeholders. 2. That so far from being generally perjurers, they generally have a high respect for their oath. O, I am galled and ashamed at being compelled by any circumstances connected with you to have been obliged to write this! 3. That as a body they are less corrupt than any other class of Irish voters. No comparison can be formed between their political purity and the political corruption of the freemen of corporations. 4. That as a body they are less liable to influence, and less under its operation than the clergy, the large proprietors, and the twenty and fifty pound freeholders. Remark, I compare the aggregate body on the one side to the aggregate body on the other. I make no individual comparisons, and I also take them, in the ratio of their numbers, respectively. You may, for instance, in one barony find a clergyman perfectly independent; three or four proprietors unembarrassed, and independent, and incorruptible; eight or ten respectable twenty pound freeholders; and in this collection of twenty-five unexceptionable men, you have spirit, integrity, and patriotism. You may in that same barony produce two hundred forty shilling freeholders, one-fourth of whom are either slavish or corrupt. Yet you will have one hundred and fifty honest men, whom the bill would disfranchise. But this view even is grossly partial, because it assumes, against the fact, that through the island all the honest votes are to be found amongst the clergy and gentry. You may recollect the homely answer of a countryman of ours to a person who told him that his family must be very bad, as there were so many who bore his name hanged, though hanging is not, in Ireland, evidence of criminality: "My good sir," was the reply, "there were more bearing my name hanged than were good men bearing your name, and there are now a greater number of good persons of my name living than ever were, are, or will be, of your name in the world." In the ratio of their numbers the forty shilling freeholders are the best and most independent voters in Ireland. Should this be ever read in Ireland, I am quite aware of the manner in which it will be received at the first reading; but the numbers who will acknowledge its truth will be continually on the increase as examination will be made.

But why not amend the system by destroying the slavish and the corrupt portion? Do, if you will; but begin where the evil is greatest. You say you cannot; the church cannot be touched; lay but a finger upon it, and Mr. Plunkett, the worthy son of a Presbyterian clergyman, will be actually in hysterics, and the Catholic Mr. Blake will be shocked and will need the aid of thieves' vinegar to preserve him from the contagion of democracy. Well, to give Mr. Plunkett a chance of the chancellorship, and to leave it in Mr. Blake's power to climb the bench or to creep into the Commons: Is not this house too democratical for this aristocrat? We will leave the churchmen untouched, and the large freeholders unmolested. But provided always upon the condition that they leave the small freeholders unmolested, but not otherwise. There are some evils in the system, but many of these evils arise from the unreasonable mode of continuing a feudal test, to know who is a freeman in a system where freedom and independence are not now connected with feudal tenure—EVERY FREEMAN OUGHT TO HAVE A VOTE. This is the principle of the old English constitution. In the Saxon days, in the Norman times, there were villains and thralls; they were not freemen. Now your mode of ascertaining who is a freeman, is to ask does his foot touch the soil of Britain? He is free. O! I have not the spirit to transcribe, nor even to allude to the description of the beautiful vision which presented itself to Curran's imagination, and which his ardour mistook for real fact: when he told us of the sinking of the altar and the God before the genius of universal emancipation. O, my friend, it is sickening to read so eloquent a sentence and to find how you are

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mocked when you come to examine the reality. True, there is no God; but there is an altar over which the demon of discord presides, grinning a ghastly smile of bitter mockery at the deluded reader of Curran's vision. This idol of my native land, begrimed with blood, surrounded with halters and instruments of torture, is raised upon the rights of Ireland as a pedestal; the yells of party orgies swell the peals of adoration; human victims palpitate, and the smoke of their carcasses rises like incense to his distended nostrils. We behold those whom pestilence and famine and desolation have prostrated, fill the temple: their infuriated relatives rush to assail those who mock their woes with hypocritical distributions of Bibles and religious tracts, and thunder out their anathemas in the shape of insurrection acts, and white-boy acts, and peeling acts, and tithing acts; many of those relatives are seized and banished, the others by the use of their franchise would indeed demolish this altar, destroy this temple, and lay this spirit, and therefore it is that they who would perpetuate the idolatry would deprive them of their franchise, because, like every other worship, the worship of this demon brings profit to his priesthood.

If every man in Ireland is a freeman, why has not every man in Ireland his elective franchise! And if this be a freeman's characteristic, why will you deprive so many thousands of my countrymen of their freedom? Or will they permit it? Mr. Shiel said you could persuade them to be content after the spoliation—could you? Then they deserve worse than slavery. Would you? Your punishment ought to be more afflictive than theirs. If Mr. Shiel stated what was a fact, I thank God I do not live in Ireland. I thank God I live amongst men who value their rights, and will never listen to any person who dares to advise about even the possibility of their retrenchment. No, no! this is one of Mr. Shiel's mistakes. He has a beautiful imagination. He sees this not in Ireland, but with his mind's eye. He sees it in that space between earth and heaven; he bodies it forth in words, and gives to airy nothing a habitation and a name.

But you would not strip Irishmen of their rights; you would give the right of universal suffrage. Why, then, did you tell them to be silent? *Qui tacet consentire videtur.* Why did you scoff at the *undergrowl of Jack Lawless?*

But you would leave a respectable constituency. You would disfranchise thousands. You would reduce men who now have a right to vote to the state of slaves who have no vote. But there would arise a substantial class of ten pound freeholders, and there would be more comfort amongst the peasantry. Do you seriously believe this would be the result? I do not, and I found my opinion upon my knowledge of the Irish landlords.

But suppose the landlord gives a tenant an interest of ten pounds, instead of forty shillings. If it arises from the landlord's generosity, the tenant will be under an obligation; if it arises from the tenant's industry and means, he has now the same industry, the same means. The change would be injurious to freedom; and this is the reason why all the tyrannical land-jobbers, and the aristocratic land-owners, who detest the sound of Catholic emancipation, are ready to give even emancipation at this price. Thus that they profess their opinion to be that which I have expressed. That this does more injury to civil liberty and to Irish freedom, than would be compensated for by Catholic emancipation.

But, hitherto, I have been obliged to keep one great consideration out of view, viz.: That the quantity of property in Ireland, out of which freehold interest could arise, is much smaller than is generally imagined.

You are to deduct from the surface of the island—1st. All the bishops' lands, which are held by tenants for terms of years—generally with the clause of *toties quoties*, that is, the occupying tenant has, upon certain conditions, a right to get a renewal from the bishop's tenant, who is his landlord, as often as that landlord gets a renewal from the bishop. Next, the glebe land, the college lands, and those of several corporations, which are not allowed to make a freehold. I believe this would sweep away more than one-fourth of the country, upon which no freehold can exist.

Before 1778, no Roman Catholic could take a lease of a house or land for a longer term than thirty-one years, and if the land was worth more than a trifling consideration over the yearly rent, any Protestant could, upon paying that advanced sum, turn the Catholic out and enter into possession.

But when the success of the people of America taught England that prudence, which is miscalled generosity, Catholics, upon swearing allegiance, were permitted to take leases at low rents, and for 999 years. The first relief of the Irish Catholic from his bondage is due to America, which may God enrich with every blessing! And, perhaps, were it given to us to see through the mist of futurity, we would discover that the ecstatic consolation of completing this work of philanthropy and charity is reserved

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for this land, whose soil teems with the blood and sweat of grateful Irish Catholics.

The Catholics, soon after the passing of this law, began to acquire real chattel to a considerable amount; and, in fourteen years, had got into possession of a vast quantity of land, under leases for long terms of years. In 1782, they were permitted to take freehold, but not to vote, for which reason they still took chattel.

This greatly curtailed the quantity of land in towns, cities, and counties which might be made freehold, because no freehold can arise out of a real chattel. Thus, when in 1793, the French Revolution and the United Irishmen made the English government exhibit a little more mock-generosity, the Catholics could become freeholders, and were restored to their franchise except in the corporations—the quantity of land by means of which they could obtain the franchise, was greatly limited, and had, in fact, been principally curtailed by the conversion thereof into real chattel. The wealthy Protestants had the old confiscated Catholic property as in fee simple; they were all freeholders, and freeholders to a large amount: there was scarcely a Protestant above the rank of a beggar, who, if he was a freeholder, was not so to the value of twenty pounds. But the rich Catholic had made the most of his money, by giving the Protestant a large fine to reduce the yearly rent of ground which he took for a long term of years, when he could not take as freehold, or if he had a freehold, he could not vote, though he was frequently richer than his landlord, who had a freehold of perhaps two or three thousand pounds per annum. In 1793, this Catholic wished to become a freeholder, and he could with difficulty procure a forty shilling freehold, though owning real chattel to a great amount.

From those facts it is clear that there could be very few Protestant 40*s*. voters, and that the vast majority of Catholic voters must, for several years, be persons of that description; that smallness of freehold generally would argue poverty in the Protestant, and would by no means indicate it in a Catholic; and that to disfranchise the small freeholders generally, would be, however impartial in appearance, nearly equivalent to a disfranchisement of the Irish Catholics. The Catholic voters, I believe, are now to the Protestant voters through Ireland, in the ratio of three to one; and by this disfranchisement of the 40*s*. freeholders, the Catholic voters would be to the Protestant in the ratio of one to five, if we take in the corporations, though the Protestant population is to the Catholic in the ratio of one to over six. Almost every Irish Protestant either is, or has in his power to become, a voter. It is a matter of great difficulty to a Roman Catholic to become qualified. I have known Roman Catholics, whose property was worth more than twenty thousand pounds, during two or three years anxiously endeavouring to obtain, for more than its value, as much freehold property as would enable them to register as 40*s*. freeholders, and still unable to obtain it. If, then, it is so difficult to obtain a qualification of 40*s*., would not the difficulty be increased by making it five times as great? And if my views of the facts be correct, would not the ten pound freeholder, who would owe his franchise to the indulgence of his landlord, be a worse slave than the present 40*s*. freeholder? And would it not be unjust to the individuals and injurious to the principle of civil liberty, and of morality and integrity, to deprive the least corrupt portion of the constituency of their right, under the false pretext of their having abused it? to take from the body of the people the characteristic of freemen, and to diminish the number of persons to be influenced, thereby creating a facility which would tempt the corrupter?

Would Ireland be compensated for these evils by Mr. Blake's aristocracy? What will you put in competition with the liberties of your country? O! I am sick of the subject. Amongst the several possibilities that ever rose before my understanding, the necessity of thus remonstrating with you upon this topic, was one of the last I could imagine.

Did you not see the dreadful innovation, like some dark cloud rising in the east, obscuring the sun of your hope, darkening the prospects of your country, communicating its gloom to every countenance, collecting every kindred speck as it rose, lowering upon your liberties, as it spread upon the horizon, and threatened in the zenith; every timid man fled, every prudent man feared, every honest man bewailed, that which was likely to ensue—whilst you stood calmly descanting upon the glories of that luminary which it veiled, the innocence of its lightning, the harmony of its thunder, and the benefits which would ensue to the land after the deluge which it would pour forth should have swept away the hovels of the forty shilling freeholders and their inmates to the gulf of ruin; then, indeed, a new order of things would arise, *Jam redit Astræa*. The Orange persecutor would become charitable and kind—the middleman, benevolent—the landlord would be a protector—the magistrate impartial—the parson would be liberal—the tithe-proctor merci-

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ful—the tax-gatherer tender-hearted, and a happy race of peasants would enjoy the soil. Did you believe all this would happen? If you did, your hopes were greater than were those of your friend,

† JOHN, *Bishop of Charleston.*

LETTER VII.

To Daniel O'Connell, Esq.

Charleston, S. C., Aug. 25th, 1825.

MY DEAR FRIEND:—I shall in this letter conclude my remarks upon the attempt to destroy the rights of the Irish Catholic electors. I call it the attempt to destroy their rights, because I believe I have fully shown, that if the bill had passed, this destruction would be its inevitable consequence. Thus it would be injuring religious liberty, without naming religion; it would be injuring civil liberty, by stripping thousands of their franchise; it would be maintaining the Protestant ascendency in Ireland, without calling it Protestant; it would be the worst species of persecution, viz., persecution in disguise. Every person now points with reproof and scorn to your boasting masters, who assume to be the most liberal, whilst they are well known to be the most persecuting government in the civilized world. The South American, just emerged from bondage, is more liberal, and when he refuses to your government the right of making religious establishments in his country, for your Protestant merchants, it is because he has been informed that those merchants petition to continue the oppression of his fellow-Catholic in Great Britain; and because he sees that those merchants will, if permitted to make such establishments, deluge his country with bad translations of the Bible, and tell the people that their priests are knaves, whose religion is a sacrilegious traffic upon dirty bits of brown paper, and who give men leave to rob their neighbours, provided they share the plunder with them.*

As he knows he has religion, and is not an idolator, and as he knows those vile falsehoods would create mischievous irritation, he thinks it just as well to keep that Christianity which came down from the Apostles through his fathers, as to substitute any modification thereof, which Britain or even New England can bestow upon him. But he enacts no law to deprive the people of the country of their civil rights, because they will not give up the religion of their ancestors: and this is more liberality and justice, than Great Britain has evinced since the days of Henry VIII. Is there in the world a parallel to British intolerance? The inquisitors prevented the people from making changes in religion, upon the ground that any essential change must destroy it. Britain persecutes them for not changing with her, though she says that she might err in making those changes. The Inquisition could keep all its victims in a few dungeons; Britain has not, during three centuries, ever had less than millions of victims at a time. Ireland has been one vast prison, and every member of her ascendency has been an inquisitor. I disapprove of the Inquisition. It never was a portion of our religion, as is erroneously imagined. But in the most angry times of religious acrimony, forgive me the expression, British writers have had to ransack our church for the names of a few persecutors who filled our episcopal chairs; the world has to rest but upon very few dignified names in the modern British hierarchy, who stand an exception honourable to themselves from its bench of bishops. Britain is not insensible to this: and therefore the oligarchy which rules her. is anxious to assume the appearance of a virtue which it has not. It wishes to keep the Irish Catholics powerless, but still yearns to have the semblance of being liberal, and finding that it cannot destroy the power of a Catholic nation, such as Ireland is, without destroying its civil rights, it attempts to do both by one act; and that is, by disfranchising a large body of electors, who, under present circumstances, must almost universally be Catholics, and then in return, it will dole out favours to a chosen few, and pay the clergy, that they may aid in enslaving the people. Thus Britain will endeavour to wipe away the stigma of her disgrace, and still do the very acts for which that stigma was deserved.

Look to the history of our country, and decide by facts. I have been amused by what has been miscalled the philosophy of history—such is Hume's:—a mockery of reasoning not worthy of even the dignity of a sophism, which attempts to argue you out of truth, by supposing it possible that a fact which is related, did not occur; and discovering possibilities that motives might have been, of the existence of which there is no proof; but evidence the other way. And then without evidence, and contrary to evidence, you are upon the philosophy of history, to suppose the fact which history exhibits, did not occur, or if you cannot be brought to that, you must at least believe by philosophy, that the agent had motives which are different from the true ones.

* See North American Review.

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This is one kind of philosophy with which I hope never to be imbued. Some reflection has led me to study history after a different fashion. I look upon history to be a record of facts, not a system of speculation. I examine the truth of the record by the rule of testimony; where I have evidence of the fact, I believe it; where I have not, I draw no conclusion. In like manner I deal with motives and dispositions. The object of my study of history, is, to argue by analogy. My conclusions from analogy in history can only be highly probable, but where I cannot be certain, I may prudently be guided by high probability. After having studied this, I give nothing for the professions of statesmen; I judge them by their acts. Our venerable friend, Bishop Moylan, of Cork, frequently told me, during his last illness, and with serious emphasis, and for useful purposes, how little reliance was to be placed upon the British statesmen, by the Catholics of Ireland. His warning was conveyed in the relation of a multitude of facts, in which he had been too well instructed, because he and other bishops had been very often artfully deluded by great and good men, and by sincere friends. I shall never forget his dying injunction to me upon the subject.

Look then to Irish history—I pass over the acts of William and Mary; I pass over those of Anne; I pass over the cruel inflictions under George I.; the whole period of the mean and deceitful Charleses and Jameses; the atrocious times of Elizabeth, I consign also for the present to oblivion; I begin with the accession of George II. Up to this period the Irish Catholics were not deprived of the elective franchise, though by an act, which, if I am rightly informed, can only find its parallel in the old colony of Maryland, they were in the reign of Charles II., shut out of their houses of legislature, of which they were members; excluded without any semblance of law or authority, but by a simple vote of their associates; and most part of their lands having been taken away, and they being excluded from most of the corporations, though they had the right of electors in law, they did not generally possess it in fact, for want of qualification during the reigns of William and Mary, Anne, and George I. But when George II. came to the throne, Primate Boulter, who was then the chief oligarch of Ireland, observed that the number of Catholics who by law were qualified to vote, had greatly increased, and that the Clanrickarde family had been, through Catholic influence, thrown out of the representation of Galway. The family of Portumna had then become Protestant, and joined the oligarchy. But the Catholics committed a worse crime, one which Britain seldom forgives. They were then to the Protestants as five to one, and for the first time some Irish Protestants began to look to the welfare of Ireland, and to form the Irish party in support of the civil liberty of their country; against those men Primate Boulter formed the English party; the Catholics joined the patriotic Irish Protestants, and with them sought the benefit of their common country. They voted in electing the Parliament of 1727. And that very parliament in whose election they concurred, deprived them of the elective franchise, and this was done by the contrivance of the oligarchy, in a clause by way of amendment, at one of the late stages of a bill, without notice or debate. In what does this nefarious act differ from the late attempt, so far as principle and apparent object are concerned? The cases are very nearly parallel. Primate Boulter wanted no debate then. All was done without agitation. 'Tis true this late bill would not make so extensive a sweep; and Mr. Anthony Richard Blake might get into the House of Commons.

The act of George II., disfranchised two-thirds of the Irish electors; so would the bill of Mr. Littleton. I could insure you a pretty ascendency to plague you, did it pass.

But the analogy will hold still farther; at that time too, there was a Catholic rent, the payment of which was prevented, and the association broken up. Whilst an act was pending to prevent Papists from acting as solicitors, the Catholics of Dublin and Cork entered into a subscription to defray the expenses of opposing the bill; an interdicted priest, one Hennesy, became, as all such unfortunate men will become, the accuser and defamer of his church; he informed the government that this subscription was for the purpose of bringing in Popery and the Pretender. I do not find that he added "wooden shoes." The papers of the collectors were seized and laid before the House of Commons, I know not whether in a green bag or in a red bag. After the examination, the committee reported that it appeared to them, "that under colour of opposing heads of bills, great sums of money had been collected and raised, and a fund established by the Popish inhabitants of the kingdom, through the influence of their clergy, highly detrimental to the Protestant interest, and of imminent danger to the present happy establishment." From the printed report of the committee of the House of Commons, it was manifest that this subscription for bringing in Popery and the

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Pretender, amounted to the enormous sum of five pounds, lawful money of Ireland! Your late association had a purse also, and was to do great mischief—under colour of procuring bills, it was to be highly detrimental to the Protestant, that is the Orange interest, and of imminent danger to the present happy establishment, which makes the most salubrious and fertile island in the world, inhabited by the most patient and laborious and vigorous people on earth, the most wretched spot of human endurance on the surface of the globe.

The liberal Protestants of Ireland, and the Irish Catholics, associated for the benefit of their country. A subscription was made; it was more than five pounds. The donation of the Duke of Leinster, one of the best of Irishmen, the mite of the labouring 40s. freeholder, the confluence of the intermediate contributions, all formed a grand national reservoir, by means of which, a nation thirsting for justice. might be refreshed even under the fiery ray of a consuming oligarchy. This was more than could be endured by thé enemies of Ireland. Your association was put down; the payment of your rent prevented; but as you were not quite as powerless as your predecessors under George II., some cunning should be resorted to before you could lose your franchise. Kind words, soothing promises, valueless professions of patriotism and friendship, won upon you, and you were induced with the best intentions, to give the worst advice. To tell the Catholics of Ireland to remain quiet, until after every hope of their children should have been destroyed, by stripping the great body of the people of the last remnant of their rights: their franchise. O! my friend, how could you have ever, not consented, for you did not, but permitted, whilst you had a tongue to speak, a finger to write, or a hand to raise —how could you have permitted the poor Irish peasant whom I know you love, that poor man who has so often borne you in triumph upon his shoulder; whose heart expanded when you appeared; whose first shout was the expression of your name; whose affection for you was boundless as his confidence; whose triumph was your fame; whose little earning was a treasure open for your application to the public good, —how could you have permitted that man to be disfranchised? And this, after he placed his money at your disposal, and his rights in your keeping?

If I know anything of the policy of the union of Great Britain and Ireland, it was chiefly devised for the purpose of destroying the influence of the Catholic electors of Ireland. Their influence was increasing, they would have gradually driven the Irish Commons to do them justice, there would cease to be a Catholic and a Protestant party, but there would be an Irish party, and that party would be the majority of the nation, comprising men of every belief. This was not to the taste of the British Cabinet. The Orangeman was told by the whisperer from the castle, the Papists have the elective franchise; their numbers are great; their voters are multiplying: your Irish Commons must soon emancipate them, unless you join our British Protestant house: in Ireland only, the Papists are a majority; in a united empire, they are a minority: consent to the union, or you will be overwhelmed. The castle told the Catholics that the Irish Orangemen were so corrupt that emancipation never would be granted by the Irish House of Commons in which those Orangemen were and must continue to be a decided majority, but that the English Protestants were without prejudice, or if they had fears, in case of emancipation, of seeing Catholics become a majority in the Irish house, they could have no dread from admitting a minority consisting of Catholics, into a united Parliament; that the Irish Commons were corrupt, venal and bigotted; and that it was only by a union with Britain that the Irish Catholic could expect emancipation. Already pensions were held out to the clergy, and the nefarious and almost simoniacal traffic was commenced. Better men could not exist than the bishops whom wily statesmen deluded. The union was effected by duping the Catholic; I once thought the Orangeman too was duped, but it is now clear he was not. It was an actual disfranchisement of the Irish Catholic by leaving him an influence in choosing only about one-tenth of the British house in which his rights were to be now disposed of, instead of leaving him an influence in the election of two-thirds of the Irish house, which before the union was to decide upon his fate. The effect of this disfranchisement was in truth the same to the Irish Catholic, as if an act had passed disqualifying electors of that communion from voting for twelve thirteenths of the members of the Commons House; as it must be manifest that whether you increase in certain ratio the number of members who are returned by Protestants only, or diminish the number returned by Catholics and Protestants in the same ratio, the result will be the same. But by this act both ratios were combined against the Catholic; and the hopes of Ireland were given to the keeping of eleven British and two Irish members. The Catholics could return one of the Irish

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and had no influence over the return of the British members.

And now the oligarchy seeks to deprive the Irish Catholic of even this moderate influence! Did not the act of union sufficiently neutralize the power restored to the Catholic by the act of 1793?

And what has the result been? You have during a quarter of a century been bowing and dancing attendance upon your masters, and how have their promises been fulfilled? But you have grown strong, and they know it. You have lately united and pressed your claims. The eye of the world is upon you and upon them. They are worried by you, but still they bid defiance to public opinion. Instead of doing you even tardy justice, they cunningly contrive to sow dissension amongst you, and endeavour to rob you of that which constitutes your strength. How often has Britain lulled you into a false security and let in the enemy upon you. But you rose in your might, broke the new cords and the ropes of sinews, and your frown terrified your foe. Your appearance was uncourtly, you were agitators, it would become you better to cast away those curling locks which indicate your barbarity and corruption. Do, pray, allow your uncouth 40s. freeholders to be trimmed off. You will then be fit to enter the royal presence of the princes of Philistia. Do you not see, the secret of your strength is made manifest? You know the source of your weakness. Why will you dally in danger? Though your hair should grow, your eyes will have been previously destroyed; in your fury you may grope for vengeance, and perish together with your oppressors. But now be prudent, and you need not dread this deplorable alternative of slavery; you need neither grind in a mill, nor shake the pillars of the state. Cherish the source of your energy; guard it as the apple of your eye; reject the blandishments of your disguised enemies; this is your maxim of safety.

But, my friend, a word more with you. The examination of the effects of the union has reminded me of a fact. When Ireland was threatened with this calamity; when terror scowled upon the visage of every satellite of the castle; when desolation swept the fields; when the streets of her metropolis were almost empty; when the widow durst not mourn; when the orphan's eye looked in vain for that father whose name his tongue could not utter; when in such days as these traffic and barter were used to despoil the people, and the Catholics were assured by men who never kept faith with Catholics, that a united Parliament would grant what that Parliament has repeatedly refused,—one little patriotic band had the hardihood to walk boldly to the vicinity of the castle of Dublin, that in the very hearing of the agents of their country's ruin, in the face of the country, they might at least make a protest against the destruction of the rights of their country. The formidable guard with the pointed bayonet stood to prevent this band from entering the Royal Exchange; but they gained admittance. And one young man who never did, and never will yield to terror, raised his voice that day and thus addressed his fellow-Catholics.

"He said, that under the circumstances of the present day, and the systematic calumnies flung against the Catholic character, it was more than once determined by the Roman Catholics of Dublin to stand entirely aloof, as a mere sect, from any political discussion, at the same time that they were ready, as forming generally a part of the people of Ireland, to confer with and express their opinions in conjunction with their Protestant fellow-subjects.

"This resolution, which they had entered into, gave rise to an extensive and injurious misrepresentation, and it was asserted by the advocates of union, daringly and insolently asserted, that the Roman Catholics of Ireland were friends to the measure of union, and silent allies of that conspiracy formed against the name, the interest, and the liberties of Ireland.

"This libel on the Catholic character was strengthened by the partial declarations of some mean and degenerate members, wrought upon by corruption, or by fear, and unfortunately it was received with a too general credulity. Every union pamphlet, every union speech, impudently put forth the Catholic name as sanctioning such a measure, which would annihilate the name of the country, and there was none to refute the calumny. In the speeches and pamphlets of anti-unionists, it was rather admitted than denied, and at length the Catholics themselves were obliged to break through a resolution which they had formed, in order to guard against misrepresentation, for the purpose of repelling this worst of misrepresentations.

"'To refute a calumny directed against them as a sect, they were obliged to come forward as a sect, and in the face of their country to disavow the base conduct imputed to them, and to declare that the assertion of their being favourably inclined to the measure of a legislative incorporation with Great Britain, was a slander the most vile; a libel the most false, scandalous, and wicked that ever was directed against the character of an individual or a people. 'Sir,' said he it is my sentiment, and I am satisfied it is the sentiment, not only of every gentleman who now hears me, but of the Catholic people of Ireland, that if our opposition to this injurious, insulting, and hated measure of union were to draw upon us the revival of the penal laws, we would boldly meet proscription and oppression, which would be the testimonies of our virtue, and sooner throw ourselves once more on the mercy of our Protestant brethren, than give our assent to the political murder of our country; yes, I know—I do know, that although exclusive advantages may be ambiguously held forth to the Irish Ca-

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tholic to seduce him from the sacred duty he owes his country; I know that the Catholics of Ireland still remember, that they have a country, and that they will never accept of any advantages as a *sect*, which would debase and destroy them as a *people*.' "

Those Catholics joined with that young patriot in his protest. You *are that young man;* fear could not operate upon you. I have always honestly addressed you; I must have no false delicacy upon a public question, in which the dearest interests of our common native land and our common religion are deeply involved. I will use the boldness of my friendship and love of my native land and my religion, even with the pain which it gives me to say, that I believe you were seduced to hesitate, by men by whom you were surrounded, by men whom I know, by men who would not stand by you at the Royal Exchange on that day; by men who know not the meaning of the word *country*, but who well know the meaning of the word *court*. Do, my friend, let Daniel O'Connell, in 1826, upon this question, maintain the principle which he so nobly sustained in 1800; the news will cheer many an Irishman who is numbed near the pole, or who glows under the equator; and the name of his friend will still be surrounded with the affection and the prayers of

† JOHN, *Bishop of Charleston.*

LETTER VIII.

To Daniel O'Connell, Esq.

Charleston, S. C., Sept. 2d, 1825.

MY DEAR FRIEND:—There was a time when I could have written more freely, and under less restraint than I now can, upon the subject of the present letter. My membership in the Irish Church has terminated; not that I loved my country less; not that I left the communion of its hierarchy; not that I preferred any other field for my labours; not that I was ambitious of situation: my rank is indeed more elevated, [but] my situation more depressed; the comforts of my ministry materially diminished, and the difficulties of discharging its duties materially increased. This, and more than this, I anticipated, and my anticipations have been realized. An imperious sense of duty has separated me from the Irish Church, and will continue that separation; my affections are still with it; my eyes are still turned towards it; I rejoice in the glories which encircle it, and I deeply feel for its afflictions: yet I am not at liberty to interfere in its concerns. I must write of its affairs as a stranger, as one with whom it holds communion, but who is not permitted to interfere in its special discipline. Were my place lower in rank, I might write more freely, and my writing be passed by; but, holding an equal rank with the prelates whose right and duty it is to regulate the local discipline of that church, it would be highly unbecoming in me, who have so much less information than they possess regarding the momentous subject, and who am not officially charged with what is their duty, to treat the subject in such a manner as to infringe upon their rights, or wound their delicacy, or manifest any want of confidence in those apostolic men.

In what I shall write, therefore, respecting the payment of the Irish Catholic clergy, by the British crown, I disclaim any intention of interfering with the exclusive right of the Irish bishops to regulate the local discipline of their church.

As I am also beyond either their power of reward, or the operation of their displeasure, I may be permitted to give freely an opinion as to their virtues. It is right to do so on the present occasion, because it will show in what safe keeping, under divine Providence, the affairs of that church are placed.

This calumniated body of men are the immediate successors of others who have been more vilified, and occasionally persecuted. The immediate predecessor of the present venerable Bishop of Cloyne and Ross, was immured in a felon's room in the jail of the county of Cork, because, and only because he was a bishop. Another of his predecessors, who sat in the Council of Trent, was, after his return to Ross, cloven down by British light-horsemen, who accidentally met him, and were informed that he was a Popish prelate; and every intermediate bishop has endured much. The present illustrious prelate, a man of deep erudition, of solid piety, of indefatigable zeal, of most refined manners, of glowing patriotism and dignified modesty, was more than once under the necessity of following the divine monition: "when they persecute you in one city, fly to another." What have been the sufferings of those prelates upon whose remains the grave has closed within your recollection? How often were their predecessors hunted like beasts of prey, found concealed in morasses, buried in woods, hidden in caverns, covered with coarse and imperfect garments, and with difficulty obtaining the meanest fare? Those apostles left to the present occupants obedient flocks, edifying exmple, unsullied

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faith, uncontaminated discipline, worldly poverty, spiritual riches, the records of their afflictions. and frequently the relics of their mangled bodies. Rome is elevated by the dignity of her place; made by Peter the centre of Christian unity, she preserves and will maintain her primacy of honour and her primacy of jurisdiction. Antioch, Peter's first see, has long since fallen to decay; her patriarchal lustre gleams indistinctly in a few specks through Saracenic filth, the ruins of ancient heresies, and the dust of ages. Alexandria can no longer produce her Athanasius, to show his unbroken succession to Mark, the companion and the vicar of the prince of the Apostles, and to contend for that faith, so many of whose doctrines he had so ably testified. The protecting eagle of Ephesus screamed when the sublime mysteries, which he discerned and exhibited, were obscured in his own great city by the followers of Macedonius, of Nestorius, of Eutyches, and of Arius: but, when the crescent glittered on the unholy rites of Arabian imposture, he took his melancholy departure. The successor of James was wanting in Jerusalem; Britain has long bewailed the defection of her hierarchy. Cruel, deceitful, hypocritical infidelity, for a time tore the garland of her glory from France. Memphis, after ages of darkness, relumed her torch at Rome, and set up a beacon for the Copts to collect at the altars of their fathers. Nor Turk, nor infidel, has done so much to destroy those churches, as was done to extinguish your Irish hierarchy: yet still it has uninterruptedly continued, and modestly beams forth its pure rays to cheer a people who have endured more than any other. They were stripped of the inheritance of their fathers; they were robbed of their fair fame; they were frequently almost exterminated. History was destroyed, evidence of facts was suppressed, calumnious fictions were published to defame the immolated: the survivors were goaded into resistance, and punished as criminals for resisting; they still were attached to the faith of Christ. It was impossible to educate their children at home: they were sent abroad for education; it was made criminal for them to return: should one of them become a clergyman, and be found in the land of his people, it was death; yet they became clergymen, they returned, they were seized upon, they were executed, often after a summary trial before a brutal foe; and the world was told that the punishment was inflicted *not for religion, but for crime*, when religion and crime were synonymous. Thus were they defamed to the world. When Nero condemned the Christian to the stake, or to the lions, the martyr was not defamed; he stood before the world in his character of sufferer for the sake of conscience. The pagan might lament his supposed folly, but he must admire his steadiness of principle: but it would be depriving him of the sympathy of the mistaken, but well disposed, if it had been published that he did not suffer for his religion, but for a crime against the state: and Nero's worst act was, after he set fire to Rome, to put the Christians to death for the conflagration; so, when a dominant soldiery were sent to make a people act against their conviction, the refusal of this people was called crime, and they were put to death as criminals, because they would not become perjured hypocrites, and swear that they believed what they did not, or abandon a religion in which they believed God commanded them to serve him. But this was not all; Parsons and Borlase did worse than ever Nero did, when, in 1641, they contrived the massacre of Catholics, that they might get their property; and when the deed of blood could not be concealed, they boldly and impudently charged the Catholics with the massacre of a greater number of Protestants than were to be found in the district, and miraculously caused that there should be nearly as many survivors after the massacre of the whole, as there originally existed.

Thus by every species of persecution and defamation, by the sword, and by the gibbet, by famine, by oppression, by plunder, by exile, by calumny, by the suppression of truth, by the publication of falsehood, did the British government, during two centuries, in vain endeavour the destruction of the Irish hierarchy. Still it survives in its apostolic glory, a band of learned, pious, disinterested, intrepid, defamed prelates, supported by a host of enlightened, religious, obedient, active, zealous, and charitable clergy, poor in worldly pelf, rich in the glories of the Gospel and the affections of the people.

The people of Ireland retained the Roman Catholic religion. When King Henry VIII. changed the religion of England, he was not able to effect a similar change in Ireland. In the time of Edward VI. it was scarcely known that any of the Irish followed the English religious changes. Mary's reign was noted in Ireland for some political afflictions and forfeitures, but no religious feud. But under Elizabeth, the extermination of the Catholics, the colonization by Protestants, the fines, the forfeitures, and the inflictions commenced. The Protestant

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clergy were sent from England, to read the common prayer in English, or in Latin, to a people whose language was Irish, and whose religion was Catholic. Those men, with scarcely the semblance of flocks, were put into possession of the churches and the revenues, and the people, who concealed their own clergy, were obliged to support them by their own contributions. During this and the subsequent reigns of James and Charles, whole regions of the country were depopulated of Catholics and were given to Presbyterians from Scotland, who were known as Scotch Irish. Cromwell rushed like a gaunt dog to swallow what prey was left, and placed his needy enthusiasts thickly in the richest places of the island. William's Dutchmen were next provided for, and every needy foreign Protestant, by entering a corporate town or city, paying a shilling to its town clerk, and taking an oath of allegiance to the king and of execration of Catholic doctrines, was clothed with civic honours to which a native Catholic never could aspire. Swarms of those men flocked in from every place in which a Protestant was ever found, and were invested with wealth and power, whilst the native Catholics, forced by misery and oppression from their native land, became the hewers of wood and the drawers of water to every civilized nation of the globe. The clergy were made the sport, and the victims of the dregs of the Protestant population. The Sunday amusement of some of the inhabitants of my former parish was, about sixty years since, to scour the country, "priest hunting," and wo be to the priest who was caught! The very name of priest was a term of reproach; I have been myself, since I was admitted to orders, as well as many of my brethren, insulted repeatedly from the circumstance of our being clergymen, and this by persons who moved in the several classes of society, from the Protestant culprit who had been sentenced to be hanged, but was not, to the judge who passed the sentence: from the Orange freeman, the price of whose vote was his chief means of support, to the proud peer whose vote spurned our petition for the common rights of subjects; from the miserable sexton to the supercilious incumbent of a bishopric. I have heard one, who swelled from the diminutive size of an almost expiring foundling, to the full bulk of aldermanic ponderosity, utter, in a dialect like English, his contempt for certain Romish priests, and those Romish priests were venerable bishops, decorated with the well-earned honours of the best universities of Europe, and as estimable for their virtues as they were humble in their demeanour. But to insult the Catholic priesthood was not only the privilege of the Irish Protestant, the exercise of this privilege was, by many, thought to be the proof of liberality.

You will ask me, why all this amplification? Why remind us of the bad feeling of past time? Certainly, not to exasperate. I can fully answer to my conscience—not for any uncharitable purpose. But for the purpose of understanding fully the subject of which I am about to treat; and to warn you of danger: I shall now apply it to that purpose. I assert, that amongst the principal part of the Protestant population which at present opposes your restoration to your rights, those unbecoming feelings still exist. They are, at the present day, the feelings of the Orangeman; they are the feelings of the grand juries of several counties; they are the feelings of a large portion of the British legislature. I shall prove those propositions by plain evidence before I close these letters.

I then ask, what can be the object of men who feel thus towards the Catholic clergy in consenting to have them pensioned by government, in place of being supported by the people? Can they have any object beneficial or honourable to that clergy? But they do not leave us any room for conjecture; they give us positive evidence: they say, that the object is to make the clergy more loyal, by making them dependent upon the crown for their income. When they avow this to be their object, will you say it is not? When history proves this must be their object, will you reject the analogy upon which the proof is founded, when they refer to that very analogy?

What was the testimony of the Honourable Denis Browne, one of the members for the county of Mayo, before the committee of the House of Lords? That Catholic emancipation would be of no use for the tranquillity of Ireland, unless the clergy were pensioned. That the clergy now made the people disaffected, but if the clergy were to be paid by the crown and not by the people, the clergy would be the most enthusiastic loyalists. He instanced the case of the Presbyterians. Before their clergy in Ireland were paid by the crown he said they were the most factious and seditious men in Ireland: and they made their flocks turbulent and disaffected. The crown paid them, and they were loyal, and their flocks were more attached to government. Such was his opinion of the pensioning system. The object which he had in view was, through the cupidity of the priesthood, to insure the loyalty of the people. What does old Denis Browne mean by *loyalty*? Such an attach-

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ment to the executive parts of your government as exists amongst the established clergy, and is making rapid progress amongst the Presbyterians. An attachment perfectly incompatible with civil liberty. My friend, we have in this country civil and religious liberty in their full perfection. It is true that the constitutions of North Carolina and New Jersey are essentially illiberal, and that the misrepresentations of British writers have here created great prejudices against Roman Catholics. But if those constitutions were to be revised, there is no question but the bigotry which disgraces them would be swept away: and honest and assiduous investigation for truth is correcting those serious misrepresentations: the people of America cannot be asked for their assent, without exhibiting to them a sufficient ground for the claim.

I stated that we had here the perfection of civil and religious liberty; there is not a doubt upon my mind, but that if the clergy of these states were to be pensioned by the general government, instead of being maintained by the people, our constitution would rapidly decay; and one of the wisest provisions which this confederation ever made, is to be found in the first amendment to its constitution, declaring that Congress has no power to establish any religion. What is meant by loyalty amongst your very loyal people of Ireland, is not that which your constitution means by the expression. One of your very loyal men in Ireland, would call a man who complained of the interference of the ministers of the crown with the election of the members of the House of Commons, a rebel who was grossly disloyal. He would plead before those same ministers as the proof of his own loyalty, that he inquired what candidate the oligarchy preferred, and that by right and by wrong, he exerted himself to have this man returned. This loyalist is disloyal to your constitution, but he is faithful to the executive. The meaning of loyalty in Ireland is a ready subserviency to the king's minister. Mr. Browne then states that pensioning the clergy would make them subservient to the executive, or to the king's ministers, or in other words, to the oligarchy by which you are ruled. Have you any doubt but that this would be the effect of the pensioning? Was not this effect produced amongst the Presbyterians? Is not the clergy of the establishment enslaved by this very principle; though, as I will show you, their state is really more independent than that of your clergy would be? How often have I heard you use this argument, and vary its exemplification through every trope and comparison which you could find? How often have I heard you tell our assembled thousands, that if the bishops so far overlooked their religious obligation as to accept of pensions for themselves and for the priesthood; you would, as a friend to the liberties of your country, protest against placing so formidable a force in the hands of the minister of the crown to direct against the proper independence of the people? If you have forgotten this, I have not; and Ireland remembers it.

I take two views of this pensioning system: I see it not only concurred in, but actually brought forward by the most insidious enemies of the Irish Catholic church. I suspect, and not without a cause, the gifts of my avowed enemies. Whence arises this kindness of the illiberal portion of your pretended friends? Is it love for you incites them? My friend, they have urged the north wind to blow its violent hurricane upon you; you did abide its fury, but you wrapped your cloak about you, and rolled in your religious mantle, you more tenaciously preserved what it was sought to take away. The rage of the tempest has passed; a few clouds still remain; occasional gusts make you cautious; but if they shall subside, and the sunbeams cheer you, this cloak will be no longer necessary; you will cast it aside, and when it shall have been removed, how are you to protect yourself if the same spirit of the winds, whose power will still continue, should again sweep your country? Your clergy will have been severed from your people. Suppose the peasantry oppressed, and the clergyman threatened with the loss of his wages, if he will stand by them, where is your remedy? This is no metaphysical supposition. In my next I shall give ample proof; at present I ask you, is it not to prevent the clergyman from telling the people of their wrongs that it is sought to make him a pensioner of the crown? The wolves ask your dogs, and you will give them up: what have the wolves offered in return? To allow a few of your bellwethers the use of a clover pasture. Have the wolves permitted you to extract their teeth or to bind their jaws? I must conclude this in haste, and resume the topic in my next.

Yours, sincerely,

† JOHN, *Bishop of Charleston.*

LETTER IX.

To Daniel O'Connell, Esq.

Charleston, S. C., September 10th, 1825.

MY DEAR FRIEND:—I now assert that it is

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a principle of the British executive to crush, if it can, in its dominions, any power, however small, which might exist independent of itself: but if it cannot crush it, its efforts will be directed to make this power become dependent upon it, and if it be in any way dependent, its exertions will still be directed to increase that dependence. Thus, during a long series of years, it has been making gradual inroads upon the civil rights of the people. The church was a spiritual power not dependent upon the crown, in the Saxon times. William of Normandy, at the time of the conquest, made a change in ecclesiastical property similar to that which he made in civil titles, and as in the latter he substituted fiefs and infeudations for allodial tenure, so in the church he substituted benefices for frankalmoigne. William Rufus went still farther; but his attempts were cut short, perhaps unintentionally, by the arrow of Tyrrell. Very few of the Plantagenet dynasty abstained from similar attempts. The aggressions of Henry II., notwithstanding constitutional and canonical impediments, caused, at first, the vacillation and subsequently the martyrdom of Thomas a Becket. The aggression of the crown and the resistance of the church is a usual and ordinary historical topic, until the destruction of that church by Henry VIII., the founder of the new body which became its substitute; of which the king being head, the contention necessarily ceased. In Ireland the Catholic prelates were thrust out of their possessions, and the men who were substituted for them, being dependent upon the executive, were by it upheld and cherished. The efforts of the crown were then directed, as we have before seen, to the extermination of the old hierarchy, which now subsisted independent of any power but God and the people.

After those means, which I have alluded to in my last letter, had been found unavailing, when the very executioner turned away in fatigue and disgust from the prolonged and useless havoc, a mitigated persecution tortured the spirit, plundered the property, but generally spared the life and limbs of the Catholic. His church was humble but it was independent. Like the Apostles and their early successors, the good prelates of the Irish church felt and knew that their kingdom was not of this world. They derived no power from the crown, they claimed no temporal authority, they challenged no civil obedience; they told their flocks to render unto God the things that were God's, and to render unto Cæsar the things that were Cæsar's. They merely superintended the religious concerns of their faithful people, and in return the people gave them affection and support.

There was also a large body of Presbyterians in Ireland, whose clergy were independent of the crown, being supported by the voluntary contributions of their flocks. At this period that clergy and their flocks felt and acted freely and constitutionally for the benefit of Ireland, and Ireland, after ages of misrule and of oppression, began to vindicate her rights and to obtain a constitution; the crown, in its bounty, bestowed a gift upon the Presbyterian clergy: they became dependent upon the crown; and the supporters of the encroachments of prerogative have no longer the same dread of that body that their predecessors had.

The crown observed that the Catholics were increasing in numbers, and in power, and in wealth, and that their clergy, which had so long been the object of the most bitter hatred, and most barbarous persecution, still retained its independence: accordingly, Lord Castlereagh, and others, gave a miserable dole out of the public purse, to establish a college for the education of candidates for orders in Ireland, that they should not imbibe the principles of other governments in continental seminaries, and to create amongst them an attachment to their native land and to its constitution. I look upon this policy to be correct and praiseworthy, except that the sum was a trifle, and the government was really hostile to those whom it was obliged to treat with comparative mildness. The Catholics were grateful for even this boon, and their gratitude would have been excessive had full justice been done. But no! they were not to receive any more kindness. We have seen how the good results which would have followed the concession of 1793, were prevented by the contrivers of the union. They now saw how the Presbyterian independence was laid prostrate by the means of paying the clergy.

In a moment of good feeling, when hopes, which have never been realized, were held out by the contrivers of Ireland's degradation to the episcopal trustees of the college, in order to procure their aid to make the legislative union popular, those prelates were asked, upon the part of government, whether, in case of the crown granting a provision for the support of the Catholic clergy, it could be assured of their loyalty, and whether this support would be acceptable. You know that those good and unsuspecting men did much mischief to your cause, by their hasty answer, "That this support would be acceptable, and that in case of its being granted, the government

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could be assured of the loyalty of its pensioners." Unfortunate answer! How much dissension has it caused? How many tears has it cost those who gave it? But the measure of union was carried, and it was hoped by the crown that the Catholics, now a minority in a united empire, would become comparatively insignificant. Their clergy were thought not to be even worth the pittance which would have been doled out under other circumstances to *insure their loyalty!* But in 1808, when the question of emancipation began to press, and it was found by the Ponsonby party that the objection of the disloyalty of the priesthood was conjured up as a barrier to your claims, then the people of Ireland learned, for the first time, with grief and consternation, the appalling fact that traffic with the clergy had been in contemplation. The bishops met. The question was examined, not only by the ten who had been imposed upon, but by the whole hierarchy, and the interference of the crown with the independence of the clergy, and the system of pensions, were both declared to be incompatible with the safety of religion. The aggregate meetings proclaimed their incompatibility with civil liberty, and no person, my friend, was more enthusiastically vociferous in the condemnation of pensions than was Daniel O'Connell.

It was then that the moderate men, the natural leaders, began, in the county of Louth, to put their insidious questions to the venerable Primate Reilly; it was then those divisions began which made our enemies rejoice and caused us to weep. I say us, for I was then amongst you; then you and I stood upon the same ground, and whether it was a vague document from Cardinal Litta, or a mandate from Monsignor Quarantotti, or a holiday speech from some sprig of nobility, or a frown from some government contractor, or a prudent advice from some hollow-hearted false friend, or a blasphemous imprecation from a boisterous and brutal squire, or an *ex officio* information from Mr. Saurin, made to us little matter. The clergy and the people withstood the friends of the crown and the natural leaders. It was in the process of this confusion that your friend, Mr. Canning, brought in his *clauses appended to the bill*, that Sir John Cox Hippesley ransacked Europe for *restrictions*. It was during those combats that Counsellor Bellew earned his third pension. But we saved our principle, and we called it a victory that the bishops were saved from the *veto*, and the clergy were saved from the pensions.

I do not know what you think now, but I know what you thought then: at that time you looked upon the pensions to be worse than the veto. It was after this the Divan people prevailed upon you to attend a few close meetings of the moderate party, who could see no harm in either veto or pensions to priests or to barristers. You came back, however, and you joined with us who had remained still unchanged in our opinion. But now, if I understand the papers, you have altered your opinion, and you think pensions ought to be given to the clergy. Is this so?—And you told the people to say nothing about a commission of bishops and its feathers, which is called *a wing*, and of which *wing* all that I shall say is that it looks so very like the *veto* that I would not know which to prefer, except that I am inclined to think the more intelligibly mischief is done, the better.

There is another reason why I shall write nothing upon the subject of this wing. A Rev. Mr. Sheehan, who is, I understand, a respectable priest in Waterford, commanded a Mr. Kirby, who was making a speech at an aggregate meeting in that city, in last July, to say nothing about this wing, because Dr. Murray and Dr. Doyle thought it good. This circumstance is sufficient to teach an American bishop silence. There was a time when, notwithstanding the opinions of prelates for whom I entertain such profound respect, I would have written what now I should not write. I must adopt a language respecting this commission and its feathers, which indeed will appear as strange from me as the advocacy of the pension system does from you: it is the language of the Cork protestors of 1813, whom now I find in their first places in that city, and with their old phrases: "Without giving any opinion upon the clauses added to the bill in the last session." I shall then give no opinion upon *the right wing*. But I ask you concerning the left wing, is it true that you are now friendly to the system of pensioning the clergy? Is not the principle of the British crown that which I have laid down at the commencement of this letter? Has it not been evinced in every stage since the battle of Hastings? Has it not been manifested for centuries in Ireland? Are not the Presbyterian clergy a recent instance? Do you want proof beyond the attempts made upon your own clergy in the bargaining about the union? In the attempts by Mr. Canning's clauses; by Mr. Plunkett's dictation; by Sir Francis Burdett's wings; by Mr. Bellew's pensions; by suppressing or prosecuting every society that opposed traffic on the clergy; and by cherishing everybody who supported it? Neither are you ignorant of the indirect attempts made in

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Rome, upon the independence of your hierarchy, to which city the king of England cannot send even an answer to a polite letter, but to which the king of Hanover sends an ambassador; and you know the acts of that excellent personage, whether they regarded the queen of England or the Catholics of Ireland. The object is then to increase the influence of the crown and to control the independence of the clergy by making them dependent upon the executive. Will you concur in this? You may; but if you do, I have lost all knowledge of the state of Ireland, or I know nothing of the mode of preserving civil liberty, or you are no friend to Irish liberty. It afflicts me to write thus—you will give me great comfort by correcting, if there is any mistake in my fact or in my argument.

To the venerable prelates of Ireland I shall not presume to address myself, because I write only as a Roman Catholic who loves the little remnant of civil liberty which still exists in the land upon which his eye first opened, but upon which that eye is never likely to look again. I interfere not with the discipline of the Irish Church. But surely neither they nor you can have forgotten the manner in which that part of the jail act regarding Catholic chaplains has been so very frequently executed: I shall, however, give an outline for my American readers.

In 1810, an act was passed by the British Parliament, amongst other things, authorizing grand juries in the several counties in Ireland, to levy money upon their counties for the remuneration of certain officers of prisons. This act required them to appoint for every prison an inspector, who was to have a salary according to their opinion of justice, more or less. The act made it imperative upon the jury to appoint the resident Protestant clergyman of the established church to this office, if he would accept it. Next it required of them to appoint a Protestant chaplain of the established church for the prison, whether there were any prisoners of his religion or not, and made it imperative upon them to appoint a clergyman of the established church in holy orders, who should be *a fit and proper person* for the office. Next, it desired that, *when it should be necessary*, they should appoint a dissenting minister, who should be *a fit and proper person* for the office, to be the Protestant dissenting chaplain, and in like manner when it would be deemed necessary, a Roman Catholic priest to be Roman Catholic chaplain: the chaplains were to have not only spiritual duties to perform, but were weekly in rotation to see the food of the prisoners distributed, and do other duties.

This bill appeared to be most liberal in its provisions, for it regulated a *maximum* and a *minimum* salary for the chaplains, and the chaplains of the same prison to have the same salary. The Protestant clergyman had very little to do in most of the prisons, and he was generally chaplain and inspector, and as inspector he had to superintend himself, distributing provisions in his rotation as chaplain; all this we, however, considered liberal, and the act was universally considered fair and impartial in its provisions.

I attended a large jail without any salary during two years, before this bill was enacted, and I was under the act afterwards nominated to be entitled to the salary. The presentment for salary was made. I observed before the jury came into court, that I had only the very lowest salary awarded to me, and of course my colleague of the established church had but the same. He had been, under an old act, inspector, and had a fixed salary. He had now less trouble as inspector, but his salary as inspector was very considerably increased. I presented a memorial to Baron Smith, who presided; he asked the jury whether my duties did not deserve more than the highest salary; they said it was plain that the highest was too small a remuneration for my services. Why, then, said he, have you given him only the lowest? Their answer was, because if they gave the Catholic chaplain a high salary, they should give the same to the Protestant chaplain for whose services the lowest was too great. But, said the judge, can you not curtail from the increase of the Protestant chaplain's salary as inspector, the excess which you will give to him as chaplain, in order legally to be able to do even imperfect justice to his Catholic colleague? They could not understand this: and the small salary was given to the chaplains, and the high salary to the inspector. The judge saw that many of my extra duties were of such a nature as gave me a claim upon the consolidated fund out of which the expenses regarding convicts were paid, and he told me that the lord lieutenant had it legally in his power to pay me from this fund; at the desire of Baron Smith, I gave him a memorial, which he presented and the prayer of which he supported, and in answer I received, under the official seal, the thanks of the Duke of Richmond, then lord lieutenant, for my zealous discharge of duty, with a statement that I was to get no other remuneration. I have selected my own case, not because it was singular nor one of great hardship, but because I wish to show that all my conclusions are drawn from pre-

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mises which are unquestionable. Have half the remunerations under the jail act been impartially and fairly made? Does the grand jury ever ask how a clergyman votes or feels towards the members of the county? Is there in the Irish government, or in the Irish grand juries, a disposition to treat Catholic clergymen fairly and impartially?

I now come to a case which you ought to know well. When the Rev. B. Murphy resigned the chaplaincy of Newgate, in the city of Dublin, who was appointed? An excommunicated priest. When the prisoners complained of being deprived of the aid of religion, there was no redress—a complaint was brought into court, old Judge Downes would not, and legally could not listen to you, when you offered to prove that the man was *not fit or proper* to be chaplain. The act had been drawn so as studiously to omit the words *fit and proper* before the description of the person to be Catholic chaplain, and to insert them before the Protestant, but even if they were inserted in the case of the Catholic, Judge Downes, if I recollect well, told you that the grand jury and not the archbishop were to be the judges of his qualifications. This man withdrew; they found another interdicted priest; they appointed him; he refused; they appointed a crazy priest,—he too had sense enough to refuse; the bad priests were exhausted; no more mad priests could be found; they appointed a good clergyman, but he had a parish at about one hundred miles distance. Has Newgate got a chaplain as yet? How many facts of this sort have occurred within the last twelve years?

I shall to-day write no more upon the subject; my heart has been sickened. I have just now, as I was about to follow up my topics, seen enough. *Your speech at Bridge Street Chapel has been just put into my hands.* You and I have ceased to think alike. The visions of my hope have been dissipated. I cannot write now. I shall address you one or two more letters, which will probably be all that you shall be troubled with by your sincere friend,

† JOHN, *Bishop of Charleston.*

LETTER X.

To Daniel O'Connell, Esq.

Charleston, S. C., Sept. 17th, 1825.

MY DEAR FRIEND:—We will now review what I have so tediously dwelt upon in my preceding letters. I endeavoured to show that the proposed changes in the qualifications of freeholders would injure the remnant of civil liberty which Ireland has, and would be a serious evil to the Roman Catholics of that country.

At a meeting of the Roman Catholics of St. Andeon's Parish, in Dublin, on the 9th of July last, some of the members expressed their dissatisfaction at your conduct in respect to silencing the Catholics, by requesting them to say nothing of the wing. You got a vote of thanks for your distinguished services. No person objected to it upon general grounds. I sincerely believe that no man better deserves it for purity of intention, and for untiring exertion, and for many and valuable services: but you will forgive me if I adhere to the old principles, our agreement in which gave me the honour of your acquaintance, and upon those principles I must now differ from you. In answer to that vote, you made a speech, and in that speech you are reported by the papers to have said:

"With regard to the measure affecting the freeholders, I am sensible that that has been injurious, and has retarded our progress. I know that it has been rather a dead weight to impede us, than a wing to help us on; and no man is more ready to condemn its effect, or to deplore its introduction, than I am, and accordingly my friend, Mr. M'Laughlin, has, at this moment, in his pocket, a portion of the report of the Committee of Twenty-one, condemnatory of the introduction of that measure, because it has retarded our cause. I am conscious that it has done us a disservice, and therefore, I shall be the first to oppose its reintroduction, if it should be attempted at any future time."

This passage gave me some consolation, but it was soon diminished by the answer which you are reported to have made, to that honest and unchanging and respectable man Nicholas Mahon.

"Mr. Mahon congratulated the meeting on its having made a convert of Mr. O'Connell, and elicited an avowal of his disapprobation of measures so injurious.—(Cries of No, no.) He was justified in what he said, for Mr. O'Connell had condemned the Disfranchisement Bill.

"Mr. O'Connell disclaimed this. The measure regarding the forty shilling freeholders was not, in his opinion, a *dis*franchisement, but an *en*franchisement, inasmuch as it would add to the influence of the freeholders, by augmenting their numbers—but he regretted its introduction as connected with the Catholic Relief Bill, as it had operated to retard the success of the latter."

On the subsequent Tuesday, the 12th of July, you attended at a meeting of Catholic gentlemen at the Corn Exchange Rooms, Lord Killeen in the chair, and you are reported to have said:

"As to union, I really thought that the causes for any breach of it were long gone by. The only measures that could be laid hold on, as a ground or a pretext for disunion, were measures

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which did not originate with the Catholics at all, but emanated from persons purporting to be their friends; and these measures were considered to be calculated to serve our cause. I am now convinced that, so far from benefiting, they have injured us; and that it is our business hereafter to seek our emancipation distinct from and unconnected with those measures. While I avow this, my lord, let no man misunderstand me. I am for my own part dissatisfied with the system of the elective franchise in Ireland. I would be glad to see some measure introduced that would put an end to the power which the aristocracy have of creating perjury and fictitious votes. Some deliberate measure on the subject of the elective franchise would be salutary and useful, but such measure ought not to form any part of the Catholic question. There is no doubt that it was well intended by those who introduced the measure. I thought at the time that they were mistaken in the idea that the introduction of the measure would be serviceable to our cause, and am now convinced that if these measures should at any time be proposed to be revived in connexion with the Catholic question, it will be our business to unite our efforts to dissuade our friends from their introduction. These, my lord, are my sentiments with regard to the forty shilling freeholders."

For one result I am now anxious that the mock friends of the Catholics are not again likely to obtain the aid of that body to weaken their own power under the pretext of not encouraging perjury. It would be easy to suggest a variety of modes to diminish perjury and fraud at elections; no method will destroy them. I assure you that what *we used to mean* by "unconditional emancipation" is the best remedy. It neither suits my present feelings nor would it be of any use to enter upon the proof. I make the assertion, that what you have, bad as it is, and it is bad enough, is much better for public liberty than any unconstitutional alterations which would be made; the spirit of your government is, by every alteration to increase the power of the crown, to diminish the rights of the people—amongst other changes within my own recollection was one to gag us at elections, whereas we had formerly the liberty of speech. I say we, because I was then a freeholder, and the present Sergeant Goold decided that I could not speak, though I would be allowed to vote. If you love Ireland, do not meddle with this freehold regulation, because the sort of Parliament you have will, in case of any alteration, make it worse.

I never suspected you to have had any share in originating the contemplated destruction of the rights of your best friends—no, I always knew the plot originated with your worst friends. Before I left Ireland, I believe in 1820, it was, I knew it was, determined on, for I was told so; but they were aware that it would be too barefaced an aggression except by way of barter; I was told they would wait for a favourable opportunity, and I was grieved to find they had ingenuity enough to make you appear even for a time to be their accomplice. I do not feel that I could with propriety publish my authority; but I declare to you that in or before the year 1820, I knew as well that such a measure was intended by the party who have been during years using the Catholic body, as I now know that they have attempted it.

The proposed change would, there can be no question, throw the Irish Catholic interest back to an incalculable distance. Emancipation therefore with this would be no boon.

You acknowledge joining it with your question did an injury—and that such an attempt would be in future opposed. It would comfort me if I could hope that such a good resolution would be adhered to. You never would originate such a scheme of ruin, neither would many of the honourable and patriotic men who voted for it, if they had not been deceived. What shall I say of you? Your act has been public, the stake is immense, the liberties of Ireland, the safety of religion. Private attachment must neither tempt to flatter, or to conceal. I believe your good nature was wrought upon by your *kind friends*. You were looked upon as the man who, as Mr. Sheil told the lords, could make the Catholics of Ireland do as you would, and therefore, all their cunning, all their eloquence, *all their kindness*, all their flattery was brought to bear upon you; and they prevailed upon you to write to the people to be quiet, and you thought that you would be answerable for all the consequences of disappointment of emancipation if you did not write.

You did much good in England, but I do believe you did more evil; you went into temptation; you will be Daniel O'Connell when with the people; you will not when you get into other places; your explanations confirm the truth of the conjectures which I formed when I read your letters. I would hazard a conjecture that several of your fellow-deputies, who are now protected by your bulk, were much more active in aiding your *bad friends* to procure your assent, than they are now in defending you, or in honestly avowing their equal accountability. I have now done with this topic.

Many times within the last two months have I regretted my having entered upon this discussion, for to me it is most unpleasant to pursue it. And now the most affecting part remains, your acquiescence in the pensioning system. And you throw the re-

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sponsibility upon Doctor Murray and Doctor Doyle!!!

What have I exhibited in my former letters on the subject of pensioning the clergy? Have I not shown that the object evidently was to use the clergy for political purposes, and this use was to be made of them by the executive power of Britain? Such has always been the object of every government in taking the church under its protection. There might be found a few instances which are exceptions to this general position. But they are indeed very rare: I could exhibit in the history of every European government during the last ten centuries, what I glanced at regarding Britain. Sometimes peculiar circumstances placed the church in such a way as that she had only a choice of evils, and she chose what she believed the lesser.

Thus the Church of Rome was obliged at one time to form a union with the Emperor of the Romans; the alliance was originally useful, but ultimately mischievous, yet perhaps it was a lesser evil than would be the ravages, the depredations, the tyranny of the Italian princes, and the Italian republics. Were there brave and good men who could protect the church from the intrigues of the holy Roman Empire, and of the licentious states and potentates which rose from the ruins of Augustulus, we would probably not have our history stained with the dark blots of papal immorality and ecclesiastical simony, which form stumbling blocks for the ignorant and landmarks for the reflecting.

Were the feudal system of benefices never introduced into the church, she would have been poorer, she might have been oppressed, but undoubtedly the novel-writer who now misleads the public judgment, would not have found in history prototypes for some of his debased churchmen; he would not then have had the semblance of excuse for his insinuation that the body was like its worst members.

Without then arraigning the acts of former rulers of the church, one conclusion is evident: there never was a union of church and state which did not bring serious evils to religion; I shall not now examine whether those evils were counterbalanced by equal benefits. But I do know that the Founder of our faith did not unite the church and state; and I do know that in England and in Germany in modern times, as well as in Greece formerly, the worst persecutions which the church had to endure and the greatest power of inflicting injury upon religion uniformly arose from this union. Without writing harshly of thousands of good and better men who differ from me in opinion, I am convinced that a total separation from the temporal government, is the most natural and safest state for the church in any place where it is not, as in the papal territory, a complete government of churchmen.

Doctor Murray has told me, and his grace will probably recollect that it was a portion of our last conversation when, previous to my departure, I had the pleasure of speaking with him at his own house, that he agreed with me in opinion, that the manner in which the Irish Church was circumstanced, as to its independence of any government or lay body which could control it, was the best in Christendom. The archbishop's opportunities of observation were far more extensive than mine are ever likely to be—certainly more extensive than mine have been. He stated what you must admit, that the efficient manner in which the duties of religion were discharged by a most meritorious priesthood, placed the Irish Catholic Church in the first rank in the universe. Other churches might equal, but none surpassed it. What little opportunity I have since had of observing, and it was not trifling, the operation of the principle of a church under the control of a lay power, leaves no doubt whatever upon my mind, but that it is, and must inevitably be, most injurious to religion. I could pile facts upon facts from the history of the church in former and recent times which would make this the most evident proposition you ever read or thought upon. It would indeed then be to me a subject of astonishment were I to learn that my respected adviser, the Archbishop of Dublin, was not most reluctant to permit in his own church what he thought it would not be well to permit in mine.

With the zealous, learned, and intrepid Doctor Doyle, I had indeed little conversation upon the topic; I believe it is twelve years since even this little passed between us; and if I am not greatly in error, the answer of the Bishop of Kildare and Leighlin before the committee of the lords expressed sentiments similar to those then expressed by me—and never changed. And at that time Daniel O'Connell and I spoke the same language. To me then it was not strange to learn that Doctor Doyle would be most reluctant to permit what would be injurious to religion.

The whole body of the Irish bishops declared that giving to the British government any right to interfere directly or indirectly in the nomination of your clergy must essentially injure, and might eventually destroy the Catholic religion in Ireland. Mr.

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Peel gives you the principle of the British government, in his answer to the application of the Belfast Institution for aid: "You refuse to allow the crown any right to interfere with the appointment of your officers, we cannot aid you, because it is a uniform principle of government not to give pecuniary aid except where it has a control over the institution." If I have not given the words exactly, I have no doubt but that I have given their exact import.

If then it is a principle of government to look for a *quid pro quo*, and what government does not, can the inference be more plain? And is it to Daniel O'Connell I must write thus? O, that I could but recollect some of the volumes of arguments which he used to roll out in endless variety upon the topic!!

I was indeed somewhat startled at reading the following passage in your speech on the 9th of July, at Bridge Street Chapel:

"I saw that there was a prospect of achieving the liberty of Ireland, by means at which, under other circumstances, and if acting only upon my own judgment, I should have shuddered with horror. But I did not rest on my own authority —I was in communion with two prelates who are the ornaments of Ireland—Dr. Doyle, and Dr. Murray. Can I offer a better plea than when I say that I did nothing, said nothing, that had not their entire concurrence and sanction. Is there in the universal Catholic Church, a prelate on whose purity the Catholics of Ireland could rest with more unqualified confidence than Dr. Murray's? I shall content myself with saying, that no act was done, nor any words spoken by me, that had not the stamp of their approbation."

I immediately concluded that those two respectable prelates had approved of the wings, and had approved of your telling the people to be quiet. I also recollected the priest at Waterford commanding Mr. Kirby not to condemn what the prelates had approved of. Such was the expression of the newspaper. You also said at Bridge Street:

"This I am resolved upon, and I have also determined to persevere in the line of conduct I have already adopted, namely, to do nothing that shall not be recommended to me by the sanction of the clergy, the watchful guardians of our faith. On them we may rely with confidence for the preservation of the purity of our sacred religion."

Indeed I was melancholy when I read those passages. I took up my pen and wrote the last paragraph of my last letter. Another paper arrived, and I read your speech at the meeting at the Corn Exchange. Speaking of the pensioning system you say:

"It is well known that it was with reluctance that the Roman Catholic bishops consented to this proposition. The only condition on which they would countenance it, was the complete emancipation of their countrymen, and even on these terms, they by no means wished for the measure. As to the deputation, they were merely acquiescent."

This relieved me, for I discovered that you had not the approbation of the prelates for the pensions. A reluctant acquiescence is not approbation. If they were reluctant, it must have been from a conviction that the measure was not a good one for religion. Was it good for the civil liberty of Ireland?

There was a time when Daniel O'Connell used to say that uniting church and state was making too strong a combination against the people, and was dangerous to civil liberty: and upon this principle, that though the bishops should not find it injurious to religion to make themselves and their clergy dependent upon the crown, he would as a subject say, that no article of Catholic faith, no general rule of church discipline, did or could exist, to prevent him and every other subject from deprecating and constitutionally opposing such an increase of executive influence. I have known some persons to argue that if the English Protestant clergy were to be paid by the King of France, let their disposition be ever so loyal, it would be, in case of war, a very dangerous temptation to which it would be wrong to expose them, as if the French monarch should, which is not very unlikely, insinuate that it would be unreasonable to expect that he should continue to support men who would preach against his cause, a few of them might be induced to be silent, when they ought to preach. Now, my friend, as I suspect you are become one of those who think this does not at all apply to the case of a mixed government, where there is a perpetual struggle between the crown and the people, would it not be folly to suppose that the best men are altogether divested of every weakness of their nature? The clergy of Ireland are not so perfect that it is meritorious to tempt them. Besides, it is not manifest folly to suppose that so excellent and perfect a government as is yours, one which is daily purchasing the right of patronage to increase its influence over the Protestant clergy, who can do little with the Irish people, should wish for a like influence over the Catholic clergy, who can do so much with the people.

It is then plain that the Irish hierarchy did declare, and upon sufficient grounds, that there ought not to be any interference on the part of government with the concerns of their church: it is plain that government

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has a desire to interfere in those concerns; it is plain that if they pay the clergy they will have a pretext which they have not at present, for that interference; and it is natural that the Irish prelates should be very reluctant to afford that pretext, and it is a fact that they are reluctant. Doctor Doyle swore that so far as he was concerned, it was a fact, and Daniel O'Connell testifies it for Doctor Murray and Doctor Doyle. All this is consistent. But it lies with you to reconcile this to your statement, that you have the stamp of their approbation for what you testify they are reluctant to admit: for a measure which they by no means wish for; a measure at which, acting only upon your own judgment, you would have shuddered with horror. Upon whose judgment was the horror destroyed? Was it upon the judgment of bishops, who by no means wished for what would horrify you? My friend, it will be a new chemical theory of feeling to establish that the addition of dislike and deprecation to shuddering of horror will result in perfect approbation! Thus it is plain the bishops disliked it, you shuddered at it, and the deputation were merely acquiescent to the measure. Where did it originate? You tell us "With persons purporting to be your friends." And was this new to you? Did not this very arrangement always "emanate from persons purporting to be your friends?" The nature of the arrangement is not altered by the source of its origin, but must be looked for in its essence. Our old custom was to disregard sources, but to examine principles and facts. I assert that your friends of other religions are not competent to advise you upon the subject where your religion is concerned. In the first place, they all swear that you are idolaters, and it would be too great an insult to their understanding to expect they should feel interested in preserving your idolatry. But suppose they did not swear such an oath. They protest against your errors. They can feel no interest in the continuance of error; the preservation of your religion cannot be to them a matter of any moment. I write with the highest respect for them. I write from examination of myself. If I was a patriotic and conscientious British Protestant, I should wish there was not a Catholic in the empire; I would not injure any Catholic who was in the country. I would grant to him the same civil and political rights that I had, but if I felt myself conscientiously required to protest against his errors, I should feel happy at seeing him released from the dominion of those errors; I should for the sake of truth wish him to be of that religion which for its truth I adopted; and if I found that under the pretext of his holding erroneous principles of religion, he was oppressed, he would, by renouncing them, be free from the unjust oppression from which my useless vote could not release him, I therefore say, that as a patriot and a conscientious Protestant, I should wish every Catholic to believe as I did: thus would he have the double benefit of truth and freedom.

Such must be the feelings and wishes of benevolent, patriotic Protestants regarding Catholics in the British dominions. If therefore a Catholic desires to preserve his religion; highly as he is bound to respect his good Protestant friends, they are the last persons with whom he should consult as to means of its preservation; he may consult them how he can attain freedom, but not by making religious arrangements.

Mr. O'Connell says this measure originated with such men; that is no guarantee that it is not injurious to religion. I have shown from its own nature, and from the testimony of the Irish bishops, that it is injurious to our religion. Those good Protestants consider the exchange of Popery for Protestantism would be a religious and a political benefit.

But you said at the Corn Exchange:

"And here it is but justice to say, that the originators of this measure sought no interference; they sought no nomination, no veto; they left to the bishops the right of conferring and withholding dignities. Their intentions were fair and honourable; but even if they had been guilty of perfidy and of conspiracy against our religion, it now matters not, for the question is already decided."

I am far from charging or suspecting PERFIDY: but I differ with you; the question unfortunately is not decided, but it is the calamitous revival of a question which I had hoped was at rest, and upon whose tomb I had flattered myself you were a faithful sentinel. But your *kind friends* prevailed upon you to allow them to breathe into its nostrils, and lo! it stalks abroad to terrify its former opponents. You rest upon your spear and proclaim that it is innocuous! I need not say to you that natural effects will flow from natural causes, unless you can procure a miraculous, preventive intervention; and God does not frequently give his extraordinary aid to save us from the consequences of our own deliberate imprudence and negligence. Your kind friends sought no interference; certainly there was no such clause appeared in the bill, no such feather in the wing.

But they sought to give money, and this without being petitioned therefor. Whence

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this extraordinary generosity in those men, who, year after year refused to give four thousand pounds, nay, even one thousand seven hundred pounds addition to the income of the college for the education of that clergy? But to support that clergy they now would give a quarter of a million of pounds every year?

My friend, it would be very easy to frame a veto bill upon stating the fact in the preamble, that the crown paid, and then reciting the principle that the crown should know to whom and why. It matters little to the man who must spend the remainder of his days in prison, whether judgment be only recorded against him to-day, and the warrant be issued to-morrow, or both acts be done at the same time.

You will say that your *kind friends* are friends to civil liberty. It would be difficult to persuade me that the authors and supporters of the gagging bills, the approbators of the military magistrate, Parson Hay, and the homicides at Manchester, the authors of the miseries of Ireland, the component parts of the majorities which protect borough corruption, are friends to civil liberty; and a vast portion of your *kind friends*, especially your admired favourite, Wm. C. Plunkett, has, together with a large body of your late advisers, been upon honourable record on those lists. Probably I have acquired some strange notions of civil liberty, by my residence at this side of the Atlantic; I do not wish to lose them; but in Ireland they would fully accord with the most perfect loyalty to the house of Hanover, if that house governed according to the British constitution, with the most perfect deference and respect to the hereditary councillors of the crown, so long as they made no encroachment upon my constitutional rights, and the most implicit reliance upon and obedience to the constitutional acts of a House of Commons, which would be fairly chosen by the people; you must then excuse me for doubting the attachment of several of your *kind friends* to the principles of civil liberty, as contained in the British constitution.

But there is, besides, a principle in human nature which is as much Protestant as Catholic, *solamen miseris socios habuisse doloris*. A proud, patriotic, Irish Protestant, finding that he could not make his own clergy more independent, will scarcely perceive how he is induced to make the Catholic clergy become equally dependent.

There is, too, an historical principle, if I may allow the expression, which suggests, that the clergy have always been a haughty, dominant, overbearing faction. You know it is only derived from the gross misrepresentations which are miscalled English history; but almost every Protestant, according to this principle, thinks it right to check the proud and haughty churchmen. And you know, it is almost as much a fashionable principle amongst your *liberal* gentry in your own church, as in any other. A thousand such little circumstances will insensibly, but powerfully lead to the conclusion: "That the clergy must be superintended." But as this is rather an offensive way of addressing domineering bishops, it is thought more prudent to say: "We mean to be kind and respectful—the people support you, and they and you are attached to each other: let them give us the money in the shape of taxes, and we will give it to you in the shape of salaries; we will compel them to pay the tax, which you cannot levy against their consent; and next year, when you will be dependent upon us, and not upon the people, we will tell you, that as we pay you, you must be our servants. All this we do *most disinterestedly and for your credit*, that you may not be subject to the capricious insults of a people whom you have long served, and who have long loved you; but that you may be cherished by a kind government, which endeavoured to exterminate you, but when it finds that to be a hopeless attempt, thanks to the people, is willing to make as much use of your services as it can; you must no longer be slaves to the rabble."

One more special remark, and I have done.

You said at the Corn Exchange:

"It is a cruel aspersion upon the Catholic clergy to say, that they owe their influence to their taking money from the hard earning of the poorest people on the face of the earth. No; they owe their influence to the purity of their lives; they owe their influence to the virtue of their hearts; they owe their influence to their being the poor man's friend. It is because no miseries, no sickness, no contagion deters them from the discharge of their sacred duty, that they enjoy the respect and the veneration of the people. They are found in the distempered hut and [by] the fevered bed, and it is a proof of the justice of their influence that they have preserved it, even though they are obliged to derive their subsistence from the wretched people. If a government, purely Irish, thought that they could work the machine of the state better by contributing to the support of the Catholic clergy, leaving the hierarchy and priesthood as they stand, without violation or interference, what reasonable ground of complaint can there be?"

Here, with your leave, are two sophisms unworthy of you. No person asserted that the Irish clergy had influence with the people, *because* they received part of the hard earnings of that people. I am grieved

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to find you appear in this light. The argument was always, and you have yourself used it a thousand times, it is wrong to make the clergy dependent upon the crown, *because* the paymasters would be persons who have sworn that this clergy are the teachers of idolatry—*because* the paymasters have been, and now are most zealous for withdrawing the people from the influence of that clergy—*because* the paymaster seeks for interference with those who are paid, and *because* the prelates have decided that such interference would be dangerous, and perhaps destructive of the religious system of that clergy. It would also be wrong, *because* it would add to the influence of the crown, whose influence is already too great for the purity of the constitution, and *because* it would subject the clergy to the political tamperings of an intriguing paymaster, who is always intriguing with those whom he pays.

Your second sophism is speculating against fact, and giving the creation of your fancy, in place of what is in real existence, and likely to continue in existence. You know that you neither have, nor are likely to have a government purely Irish. One purely English, if honestly administered, would answer you as well. You know that if the government paid the clergy, it would interfere; and you acknowledge that the object of payment would be to work the machine of the state better. You said that the interference was formerly refused, *because* the government was hostile. You see there were several other *becauses;* you enumerated imperfectly. Besides, how can you say that Lord Manners, Mr. Goulburn, and the lord lieutenant, who honours the Beefsteak Club with his presence, are your "protecting friends?" Is Lord Eldon, is Lord Liverpool, is Mr. Peel your "protecting friend?" If any accident should remove your present king, would his successor be your "protecting friend?" Is the Duke of Clarence? I tell you, a very large portion of the people here doubt much if your most gracious monarch is one whit a greater friend of yours than is Alderman King, to whose *lasting* and *sincere friendship*, you quaffed your social bumpers.

I have done. Where is the effect of your experience? In my next, which shall conclude this unpleasant and tedious series of letters, I shall remind you of what we did formerly under similar circumstances. I shall show you its good effects; I shall beseech you to act once more as we then did. I lament the serious mistakes which you have made. But you are, I believe, a man of incorruptible integrity, of great powers, and of well-earned influence. You can rise more gloriously than if you had never stumbled. I cherish the expectation that you will, and am, in sincerity, your friend,

† JOHN, *Bishop of Charleston.*

LETTER XI.

To Daniel O'Connell, Esq.

Charleston, S. C., Sept. 23d, 1825.

MY DEAR FRIEND:—I know not whether my effusions have fallen under your eye, or been read by any of the people of Ireland. I have sent them directed to you, by the best mode of conveyance within my reach; but I have not taken any steps to procure their publication in Ireland. I write this in the hope that you have, or shall have read the preceding letters, before this meets your view.

In the years 1811, 1812, and 1813, a small party existed in the Catholic body, who were very anxious that the bishops should grant to the crown a right of interference with the appointment of the clergy, and should accept of pensions from the crown, and submit to a high commission for examining the loyalty of the persons chosen for the episcopacy, and testifying that there was no treason contained in dispensations from some ecclesiastical observances, or in decisions upon cases of conscience. You will forgive me if I cannot help comparing what was then contemplated to what I once knew to have occurred. When I was a student at Carlow, Doctor Moylan sent some prayer books, and "Think Well On't," to be distributed to the Catholics of the city of Cork militia, then quartered in that town. The books were seized upon and brought to a court-martial, of which that sapient and erudite theologian, Colonel Mountiford Longfield, was president, and after mature deliberation, they were honourably acquitted, upon the ground that the Popish and Protestant churches differed only respecting the DIVINITY OF THE HOLY VIRGIN. Other books which had the misfortune of passing through my hands, were solemnly tried on board a convict ship at Cove, and were in a very dangerous predicament, because Dr. Harding told the president of the court, a very petulant, but otherwise I believe, a very good young man, who was captain of the ship, that I wrote a book which stated that an angel, upon looking into hell, saw it filled with Protestants, and upon looking into heaven, saw it filled with Catholics. I assure you, I never wrote any such book. Do not, I conjure you, believe that I did, even though

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the Rev. Mr. Burnett, of Cork, whoever he might be, should swear before the House of Lords that I did, as he volunteered before that Right Honourable House, an oath that I wrote a book which I did not write, but which book contains more truth, than do, perhaps, all the oaths which that reverend gentleman ever swore.

These and such others, were minor transactions, but *ex pede, Herculem;* give an anatomist even a joint of the small toe, and he will tell you the correct size of the head; give any root, however low and minute, and you can easily calculate to any power how high soever. We know what was done in dungeons and what was done in courts; we knew what were the acts of sweepers of the gateways, and also of the idol of the levee; and therefore the Catholics of Ireland, said they could not entrust what was their best gem, that pure emerald for the preservation of which, their progenitors had forfeited dominions, dignities, rules, home, blood, life, everything but soul—that which not a world could purchase; to men who themselves decried it as valueless, whose progenitors had flung it away, and committed every species of cruelty and injustice upon and against those who would not follow their example.

The Irish bishops said those regulations would essentially injure, and might eventually subvert their church. The few Catholics who differed from the body, sought to justify their conduct, by asserting that the Protestant friends of the Catholics, wished for those regulations, and thought them reasonable. I have expressed my opinion of the value of their suggestion, in my last. The party had recourse to Rome, and obtained from Monsignor Quarantotti, who held some office there, in the Pope's absence, an advice to the obstinate Catholics of Ireland, to accept the favours of the British government, *æquo gratoque animo*, that is, cheerfully and with gratitude.

The Irish bishops received this document in a manner which showed their feelings to have been greatly rubbed against. The venerable Bishop of Cloyne and Ross, was one of the first to send his answer to the vicar of the London district, through whom it was, not unaccountably, transmitted, stating that he received it with disgust and indignation; the same expressions would indicate the feelings of nearly all the bishops. Dr. Murray at that time, in a passion sermon, made a most appropriate comparison between the crime of Judas, in betraying his divine master, and the conduct of *not* the agitators; and I agree with you, that "there is not in the universal Catholic church, a prelate upon whose purity the Catholics of Ireland could rest with more unqualified confidence." Yet the men who suspected that this meek archbishop alluded to them as fit associates for Judas, waited on the then Primate of Ireland, Doctor Troy, to complain of this passage. The archbishop did not name, did not even describe them; conscience was sufficiently powerful.

You were then a mighty leader of the host in which I was a soldier.—What was our resolve? What was our conduct? I shall remind you of our history.

The cases then and now, are in many respects similar. 1. The Catholics were then seeking for emancipation. 2. They had many Protestant friends in the legislature. 3. Their advocates in and out of Parliament, were divided in opinion respecting concessions. One part said that the Catholics ought, upon their being restored to their rights, give to the crown some equivalent; they used to call this barter making concessions to their Protestant brethren, in return for the favour bestowed upon themselves. Then and now some Catholics joined with this portion of their friends. A second part said, that the spirit of the constitution and common justice, required the Catholics should be restored to their proper place as members of the state, and that, although it would not be right to demand anything from them, it would be policy in the Catholics to allow an interference in church concerns to government, in order to obtain a greater good, viz., their political rights. A small portion of the Catholics were of the same opinion. A third party, which was indeed a very small portion of parliamentary friends, said, that not only ought the Catholics not be called upon to make those concessions, but that they would act unconstitutionally by consenting to make them, for they would thus increase the power of the crown, which was already too great. The great body of Catholics, with you, as its principal leader, adopted this maxim as their rule of conduct.

This is precisely the state of things now, but you are not at the head of this last party, you have left it, and have endeavoured to weaken and to draw it off to your side of concession!!!

Formerly the last party of which you were a leader, was in union with the bishops who declared that those concessions would essentially injure, and might eventually destroy religion. The other parties worried the bishops to endeavour, by perseverance, to prevail upon them to unsay what they had said. The people, desirous of saving their pastors from the unpleasant situation

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in which those persons would place them, interposed. Mark that situation. The bishops felt that to make the concessions would be doing a permanent injury to religion. The party said, if the bishops make the concession, we shall obtain temporal advantages, and we will not appear to have done any injury to religion, for should any bad consequences follow, they will be attributable to the prelates, who ought to have withstood us, if we were wrong. We will therefore press upon them, if they are right they will resist us; if it is only a wish on their part to avoid minor evils, we will worry them into concession. Thus would the prelates in one case be liable to the perpetual reproach, from their own flock: "We are enslaved because you are obstinate;" and if the prelates relaxed, they would be charged by their own consciences, by the church at large, and by posterity, with the ruin of religion. To men like the Irish bishops, this was a most unpleasant dilemma. Their love for their flocks, their delicacy of feeling, the importunity of their Protestant friends, and of ambitious Catholics, the wishes of men in power, their confiding trust in plausible professions of men in honourable stations, and the sneers of the irreligious, all urged them to one line of conduct, and their consciences led them to another. They were, however, firm. But in order to draw off the squadrons which assailed them, you and the people declared: "That it was useless to annoy the prelates, for though there should be no objection upon the score of religion, you had objections on the score of the constitution; you would not for the bishops, nor for the Pope, nor for a general council, yield up to the crown an unconstitutional increase of power. We proclaimed that it would be useless therefore, to assail the bishops, until we should have been vanquished.

You were thus at that time nobly in advance for three great objects; the first to protect the liberties of the people from being injured by the concession of new influence to the crown, next to protect the church from the contaminating contact of a corrupt oligarchy, and lastly, to protect your prelacy from the perplexing dilemma which I have described. It was a glorious place, and well was it filled, and cheerfully did we support you. Though the oligarchy fought with judgment and persecuted us, the cause of the people made progress, slowly it is true, but steadily; your parliamentary *friends* were unmasked; your vacillating brethren were disabled; they withdrew from your meetings in sullen disappointment; you made better progress without them, as John Keogh's shopkeepers did without the wretched aristocracy of 1792. Your cause became the cause of your country, the great subject of the nation's awe, of Europe's observation, and the topic of the world's inquiry. You stood pre-eminently, singularly high. Daniel O'Connell in Ireland, was compared to Simon Bolivar in South America. Your name was pronounced upon the Mississippi and echoed from the Ganges. At the head of a united people you went to the city of the British empire not to occupy a little seat amongst the buyers and the sellers, but to proclaim indignantly a nation's wrongs, and to demand firmly a people's rights: and lo! you descend from your elevation, and you permit the barter of the franchise of your constituents and the honour, the safety, and the purity of the Church of Christ, the glory of your nation, the religion of the world. And you, who used to lead the vanguard in attack, now take refuge behind the bishops, and you call upon Doctor Murray and upon Doctor Doyle to protect you! And their defence, to be efficacious, should be——that they approved of what they deprecated, and told you that they were pleased with what they did not wish for: and you tell the people to embrace what excited your own horror!!! Your other excuse is equally insufficient. You assert the Irish government, which persecutes you and suppresses your association, is friendly, and that the very people who are your opponents, are your supporters. Thus is Daniel O'Connell fallen!!! But fallen, I hope, to rise. He has placed the prelates in the very situation, to save them from which, he formerly sprang forward, and for doing which he gained what he has now placed in jeopardy. 'Tis but a bauble, it is true, but he valued it:—the applause of half the world.

But, perhaps, he will only permit a temporary evil to obtain a permanent good. That is, he will go into a dungeon, and permit manacles to be fastened on him, in the expectation that a government which has been long studying how those manacles might be put on, would be induced to take them off, merely for the asking. Surely he would not give this as a plea. He has a claim to be respected for his understanding.

How was Mr. O'Connell induced to act thus? Many persons say, that you spoke so much of your losses that it was plain you would accept of remuneration, and that your expectations were from your monarch. Could the most remote suspicion of such a possibility find access to my mind, I would spurn you as the last of men. And I scarcely know what evidence would even raise a

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doubt in my mind regarding your integrity. Forgive me for alluding to what I have been tortured at being obliged to hear. But it is almost equally painful for me to write what I must. I believe you either too easily yielded to the persuasions, the entreaties, the reasonings, if I may so call them, of your new acquaintances in England—men who know nothing of Ireland—or that you were artfully deluded by false parliamentary friends, who calculated upon one of two consequences—either your being able to gain over the people to their nefarious project, or your losing your influence in the attempt. Whichever it was, I call upon you to arise. In the first case, you would have ruined your country, in the second case, you would have ruined your reputation and lost your influence; and one of the most powerful of their opponents would have been disarmed without even the expense of his purchase. I call upon you to arise.

Believe me, my friend, the partner of your affection does not love your just fame more ardently than I do. But I love the wretched land which gave me birth; I love that religion in which are centered all my hopes; which contains all my treasures; which justly requires more, if possible, than all my affections, better—yes, better, far better, than I love you or your fame: my affection for you arose from my love of my country and of my religion. In you I found an identification to both; and the cold formalities of introduction were unknown between us. Some mutual impulse led us to almost adhesion, and frequently have I been astonished when I only imagined that I revolved about you, at finding that I had been imperceptibly to myself, borne also into the orbit of your progress round the bright luminary of civil and religious freedom.

He, whose property is creation, and whose is the perfection of justice and wisdom, has plucked me from your side and placed me where only a few transient shadows occasionally glide between me and the glorious centre. For myself I desire no change of system. But still mighty darkness involved your path; year after year, as you retraced your course, the gloom was seen to be more penetrable; your disk reflected its light with a less fiery and more steady ray; the nations hailed you; the aspirations of the good and of the great lit up with finer blaze the radiance whence you derived your brightness; the malignant demon who had been permitted to enshroud you, found that he could neither impede your progress, nor intercept your light; the prospect now was consoling; you had but to continue steadily in your path—when, lo! you have shot from your track; nothing can save you from ruin unless you return.

My friend, every obstacle to your emancipation was removed. Argument against you, there was none, but of bigotry an immense accumulation; but though it assumed the garb of religion, the angel of investigation has, like Ithuriel, exhibited its deformity, and a world proclaims its condemnation. Self-interest concealed under the garb of patriotism, has been stripped of its disguise by an indignant nation; the calumniator who went round with the law and the gospel has been met and exposed. The rapacious tithe collector is known to be an unsparing destroyer, possessing scarcely the semblance of a sheep. The barbarity of the persecutors of our fathers has, by a just judgment, resulted in the ruin of his own offspring, and whatever the wishes of the remnant of your oppressors might be, their wants will compel them to demand your release from bondage, as smitten Egypt demanded the liberation of Israel. The rivers of Ireland have indeed been turned into blood; pernicious insects have destroyed its green productions; darkness has been brought upon the land; plague succeeding plague has only hardened your task-masters. May God soften their hearts and convert them to justice and mercy, lest an angel of destruction be sent through your land, and the prayer for your disenthralment be mingled with the wailing for the dead. Though the contemplation of the past would incline me to tremble for the accompaniments of the future, I can have no doubt as to the issue. Let me then entreat you; let me conjure you, whilst every symptom gives infallible token of the result; whilst the peers of England, the population of Ireland, the good sense of your own empire, and the prayers of the world are on your side, against an obstinate, but a substantial, vanquished foe; do not on the eve of your liberation, compromise the remnant of the liberties of Ireland, and the purity of your church.

Before I conclude, I must advert to one topic, upon which I perhaps will not be deemed presumptuous in giving an opinion. You have spoken in the highest terms of eulogy of the people of England. You who used to speak against them: upon this there is a serious change in your manner. I had my prejudices against the English nation, because of the wrongs inflicted upon my country and my religion, by the English government. But my residence in this country has removed that prejudice; you have seen the English people to more advantage than I beheld them, yet reasoning by ana-

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